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ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
FIFTY-NINTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA

BEING THE
SIXTH SESSION OF THE SEVENTH PARLIAMENT

*Begun and holden at Ottawa, on the Second day of January, and closed by
Prorogation on the Twenty-third day of April, 1896*



HIS EXCELLENCY
THE RIGHT HONOURABLE SIR JOHN CAMPBELL HAMILTON-GORDON, EARL OF ABERDEEN
GOVERNOR GENERAL

VOL. II.
LOCAL AND PRIVATE ACTS

OTTAWA
PRINTED BY SAMUEL EDWARD DAWSON
LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1896



59 VICTORIA.

CHAP. 15.

An Act to provide for the amalgamation of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company, under the name of "The Bay of Quinté Railway Company."

[Assented to 23rd April, 1896.]

WHEREAS the same persons are the owners of all the capital stock of the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway Company; and whereas, for the purposes of their business, the shareholders of the said two companies desire that they should be amalgamated and made one company, and have petitioned for power to effect such amalgamation, and it is expedient to grant the prayer of the said petitions: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Kingston, Napanee and Western Railway Company and the Bay of Quinté Railway and Navigation Company may unite as one company which shall be called "The Bay of Quinté Railway Company."

Amalgamation authorized.
Name of new Company.

2. The directors of the Kingston, Napanee and Western Railway Company may agree with the directors of the Bay of Quinté Railway and Navigation Company that the said two companies shall be united as and form one company, and may, by the said agreement, fix the terms upon which such union shall take place, the rights which the shareholders of each company shall possess after such union; the number of directors of the Company after such union and who shall be directors until the then next election of directors, the period at which such next election shall be held, the number of votes which the shareholders of either company shall respectively have thereat, the time when the said agreement shall take effect, the by-laws which shall apply to the united Company, and generally all such conditions and stipulations touching the terms upon which such union shall take place as are found

Directors empowered to settle terms of amalgamation, &c.

necessary for determining the rights of the said companies respectively and of the shareholders thereof after such union, and the mode in which the business of the company shall be managed and conducted after such union.

Special general meeting to consider agreement.

3. Whenever any such agreement has been made as aforesaid, the directors of each of the said two companies shall call a special general meeting of the shareholders of each of the companies they represent, in the manner provided by the statute relating to such companies respectively for calling general meetings, stating particularly that such meeting is called for the purposes of considering the said agreement and of ratifying or disallowing it; and if at such meeting of the shareholders of each company respectively three-fourths or more of the votes of the shareholders, either present or represented by proxy, are given for ratifying the said agreement, then it shall have full effect accordingly, as if all the terms and clauses thereof, not inconsistent with this Act, were enacted in an Act of the Parliament of Canada; if, however, less than three-fourths of the votes of the shareholders present at such meeting or represented by proxy, are given in favour of ratifying such an agreement, then it shall be void and of no effect: Provided that such meeting shall be held within three months from the time of the making of such agreement by the directors as aforesaid and not afterwards.

Proportion of votes required to confirm agreement.

Proviso: limit of time for holding meeting.

Effect of ratification of agreement.

4. From and after the time when any such agreement for the union of the two companies takes effect the companies shall become one company and one corporation by the corporate name assigned to it in this Act, and shall be vested with and have all the powers, rights and property and be responsible for all liabilities of the respective companies, parties to such agreement, and shall be held to be the same corporation with each of them, so that any right or claim which could be enforced by or against either of them, or which might hereafter arise, accrue or be enforceable as against either of the said companies (had such amalgamation not taken effect) under existing agreements between either of the said companies and any person or corporation, may after such union be enforced by or against the company formed by their union, and any suit, action or proceeding pending at the time of such union by or against either of such companies may be continued and completed by or against the company formed by their union, by the corporate name so assigned to it; provided always, that any mortgages or other encumbrances now existing against the properties of either of the said companies shall continue and remain a charge only upon the property mentioned in the said mortgage or encumbrance, and the rights of the holders of such mortgages shall be and remain as if the said union had not been made, and, if the trustees in the said now existing mortgages

Proviso: existing rights not to be affected.

so require, separate accounts showing revenues and disbursements of each of the said two companies shall, while the said mortgages continue to exist, be kept by the said company hereby formed.

2. A duplicate of the said agreement when duly ratified and approved shall be filed in the office of the Secretary of State at Ottawa, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production to the *Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

Agreement to be filed.

5. In case of any such union as aforesaid the capital formed thereby shall be equal to the combined capitals of the companies united; and they may raise by loan or otherwise any sum not exceeding the total amount which the said companies might raise.

Capital stock of amalgamated companies. Borrowing powers.

6. The Bay of Quinté Railway Company may construct branch lines or extensions, each not exceeding twenty miles in length, from any point on the lines of the Company, for the purpose of connecting the said railway with any iron or other mines or mineral lands in the counties of Leeds, Frontenac, Lennox and Addington, Hastings and Peterborough; and all the powers and privileges conferred by this and former Acts, with respect to the main line or branches, are hereby conferred upon the Company with respect to such branch lines or extensions, and all the provisions of *The Railway Act* shall apply to such branch lines or extensions.

Power to construct branch lines or extensions.

7. The power conferred by this Act with respect to the construction of branch lines or extensions shall be exercised by commencing each such branch line within two years and completing it within five years from the passing of this Act, in default whereof the said powers shall lapse and be null and void as respects so much of the branch lines or extensions as then remains uncompleted.

Limit of time for construction of branch lines.

8. The Bay of Quinté Railway Company shall, in addition to the powers already conferred on either of the companies forming the union, have the power to purchase, lease or otherwise acquire the Deseronto locomotive and car shops and all lands, wharfs, docks, elevators, warehouses and works in the town of Deseronto or along the lines of their railways, required for the proper and efficient working of the said railways and the management of its business.

Power to purchase certain locomotive shops and other works.

9. The Bay of Quinté Railway Company may purchase, lease or otherwise acquire and sell, mortgage or otherwise dispose of timber, or lands covered with timber, in the vicinity of the said railway and along the lines thereof, and may cut and remove the timber therefrom and sell and dispose of the

Adjacent timber lands may be purchased and disposed of.

same on such terms and in such manner as they see fit, and, after the removal of such timber from the said lands, may sell, lease or otherwise dispose of the said lands upon such terms as to the directors of the said Company seem advisable.

1888, c. 29.

10. All the provisions of *The Railway Act* and amendments thereto, not inconsistent with this Act, shall apply to the Company to be formed by the said amalgamation.

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most Excellent Majesty.



59 VICTORIA.

CHAP. 16.

An Act respecting the Brandon and South-western Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Brandon and South-western Railway Com-^{Preamble.}
pany has by its petition prayed for the passing of an
Act to extend the time limited for the commencement and
completion of its railway, and it is expedient to grant the
prayer of the said petition: Therefore Her Majesty, by and
with the advice and consent of the Senate and House of Com-
mons of Canada, enacts as follows:—

1. Notwithstanding anything contained in chapter sixty-five
of the Statutes of 1894, the time limited therein for the com-<sup>Time for con-
struction ex-
tended.</sup>
mencement of the railway of the Brandon and South-western
Railway Company, and for the expenditure of fifteen per cent
on the amount of its capital stock as required by section eighty-
nine of *The Railway Act*, is hereby extended for a period of
1894, c. 65.
two years from the first day of November, one thousand
eight hundred and ninety-six; and if such expenditure is not
so made, and if the railway is not completed within four years
from the said first day of November, one thousand eight
hundred and ninety-six, then the powers granted to the
Company shall cease and be null and void as respects so much
of the railway as then remains uncompleted.

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59 VICTORIA.

CHAP. 17.

An Act to incorporate the Edmonton District Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS a petition has been presented praying for the Preamble.
incorporation of a company to construct and operate a
railway as hereinafter set forth, and it is expedient to grant the
prayer of the said petition: Therefore Her Majesty, by and
with the advice and consent of the Senate and House of Com-
mons of Canada, enacts as follows:—

1. Herbert Charles Wilson, William Summerville Edmiston, Incorporation.
John Edmund Kelly, Colin Ferrie Strang, John Cameron,
Thomas Bellamy, Joseph Henry Picard, all of Edmonton, and
William Tyndale Jennings, of Toronto, together with such
persons as become shareholders in the Company hereby incor-
porated, are hereby constituted a body corporate under the
name of “The Edmonton District Railway Company,” here- Corporate
inafter called “the Company.” name.

2. The head office of the Company shall be in the town of Head office.
Edmonton, in the district of Alberta.

3. The Company may lay out, construct and operate a rail- Line of rail-
way of the gauge of four feet eight and one half-inches from way described.
some point within the town of Edmonton, in the district of
Alberta, North-west Territories of Canada; thence in a
southerly direction to a point in South Edmonton on the Cal-
gary and Edmonton Railway and to connect therewith; also
from some point within the said town of Edmonton, thence
in a north-westerly direction via the village of St. Albert to
a point on the Athabasca River, at or near Fort Assiniboine,
with a branch to Stony Plains; also from some point within
the said town of Edmonton, thence in a north-easterly direc-
tion to a point at or near Fort Saskatchewan, together with
a branch to a point on Sturgeon River.

Provisional directors.

4. The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of the Company.

Capital stock and calls.

5. The capital stock of the Company shall be five hundred thousand dollars, and may be called up by the directors from time to time, as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

Annual general meeting.

6. The annual general meeting of the shareholders shall be held on the first Monday in September.

Election of directors.

7. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose nine persons to be directors of the Company, one or more of whom may be paid directors of the Company.

Amount of bonds, etc., limited.

8. The Company may issue bonds, debentures or other securities to the extent of fifteen thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreement with another company.

9. The Company may enter into an agreement with the Calgary and Edmonton Railway Company, the Canadian Pacific Railway Company, the Trans-Canadian Railway Company, the Great North-west Central Railway Company, or the Edmonton Street Railway Company for conveying or leasing to such company the railways of the Company hereby incorporated, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors may seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and sanction of Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in the district through which the railways of the Company hereby incorporated run.

General powers.

10. The Company may,—
(a.) for the purposes of its business and in connection with its railways, construct, purchase or otherwise acquire, charter, obtain,

obtain, control, equip, navigate and keep in repair and sell, passenger, freight and ferry steamers and other vessels, upon or across the Saskatchewan, Pembina and Athabasca rivers and upon the lakes and streams forming part thereof or tributary thereto, and may construct, purchase, own, lease or otherwise acquire, hold and sell, wharfs, docks, elevators, warehouses and other works for facilitating transportation for passengers and freight upon or across the said rivers, lakes and streams ;

Power to build steamers, etc.

Wharfs.

(b.) acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating and motor purposes in connection with its railways or any branch or part thereof, and may also sell or otherwise dispose of surplus electricity or other power generated by the Company's works and not required for operating its railways or other works ;

Electricity and water power.

(c.) construct, purchase, lease or otherwise acquire and hold lands, buildings and other erections for the purpose of supplying water for the use of its railways and branches and sell or otherwise dispose of to municipalities and individuals the surplus water produced from any of the works of the Company and not required for use in running the railways and branches and other works of the Company.

Water works.

(d.) The powers to acquire, utilize, sell or otherwise dispose of water and water-power conferred by paragraphs (b) and (c) of this section shall be exercised subject to the provisions of *The North-west Irrigation Act*.

1894, c. 30 to apply.

11. With the consent of the municipal council or other body having jurisdiction over the roads and streets of any city, district, town, village or municipality the Company may, by its servants, agents or workmen, enter upon any public road, highway, street, bridge, watercourse, navigable or non-navigable water, or other such places in any city, district, town, village, municipality or other place for the purpose of constructing, erecting, equipping, working and maintaining its line or lines of telegraph and telephone, electric wires, poles, compressed air and water pipes, and where the railway is operated by electricity its line or lines of railway, and other works necessary for operating the same, upon, along, across, over and under the same, and may work, equip and maintain such and so many poles or other works and devices for making, completing and supporting, using, working and maintaining the system of communication by telegraph and telephone and for operating the railway, and may construct wires and other telegraphic and telephonic contrivances thereon, and as often as the Company, its agents, officers or workmen think proper may 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, subject, however, to the following provisions, that is to say :—

Company may enter upon public roads.

May erect poles.

Travel, etc., not to be obstructed. (a.) The Company shall not interfere with the public right of travelling on or using such public roads, highways, streets, bridges, or watercourses, and other like places, and shall not do any unnecessary damage, nor in any way obstruct the entrance to any door or gateway or free access to any building erected in the vicinity ;

Height of wires, etc. (b.) The Company shall not affix any wire less than twenty-one feet above the surface of the street or road, nor, without the consent of the municipal council or other body having jurisdiction over the roads or streets of the municipality, erect more than one set of poles along any street or road ;

Kind of poles. (c.) In all municipalities the poles shall be as nearly as possible straight and perpendicular, and shall, in cities, or towns, be painted, if so required by any by-law of the council ;

Cutting poles or wires in case of fire. (d.) Whenever, in case of fire, it becomes necessary for its extinction or the preservation of property, that the poles or wires should be cut, the cutting under such circumstances of the poles or any of the wires of the Company, under the direction of the chief engineer or other officer in charge of the fire brigade, shall not entitle the company to demand or to claim compensation for any damage thereby incurred ;

Liability for damage. (e.) The Company shall be responsible for all damage which its agents, servants or workmen cause to individuals or property in carrying out or maintaining any of its said works ;

Trees. (f.) The Company shall not cut down or mutilate any shade, fruit or ornamental tree ;

Approval of municipality. (g.) In all municipalities the opening up of streets for the erection of poles, or for carrying the wires or pipes under ground, shall be subject to the direction and approval of such engineer or other official as the council appoints, and shall be done in such manner as the council directs ; the council may also direct and designate the places where the poles are to be erected in such municipality ; and the surface of the streets shall in all cases be restored as far as possible to its former condition by and at the expense of the Company ;

Carrying wires under ground. (h.) No Act of Parliament requiring the Company, in case efficient means are devised for carrying telegraph or telephone wires under ground, to adopt such means, and abrogating the right given by this section to continue carrying lines on poles through cities, towns or incorporated villages, shall be deemed an infringement of the privileges granted by this Act ; and the Company shall not be entitled to damages therefor ;

Workmen to wear badges. (i.) No person shall labour upon the work of erecting or repairing any line or instrument of the Company without having conspicuously attached to his dress a medal or badge on which shall be legibly inscribed the name of the Company and a number by which he can be readily identified ;

Entering upon private property. (j.) Nothing herein contained shall be deemed to authorize the Company, its servants, workmen or agents, to enter upon any private property for the purpose of erecting, maintaining

or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being;

(k.) If in the removal of buildings, or in the exercise of the public right of travelling on or using any public road, highway or street, it becomes necessary that the said wires or poles be temporarily removed, by cutting or otherwise, it shall be the duty of the Company, at its own expense, upon reasonable notice in writing from any person requiring the same, to remove such wires or poles; and in default of the Company so doing it shall be lawful for any such person to remove the same at the expense of the Company, doing no unnecessary damage thereby; and such notice may be given either at the office of the Company, or to any agent or officer of the Company in the municipality wherein such wires or poles are required to be removed, or in the case of a municipality wherein there is no such agent or officer of the Company then either at the head office or to any agent or officer of the Company in the nearest or any adjoining municipality to that in which such wires or poles require to be removed.

Temporary
removal of
poles, etc.

Notice to
Company.

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59 VICTORIA.

CHAP. 18.

An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Grand Trunk Railway Company of Canada Preamble. have by their petition represented that they have entered into a certain lease and agreement, a copy of which is set forth in the schedule to this Act; and whereas the said Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company have respectively by their petitions prayed that the said lease and agreement be confirmed and made legal and binding; and whereas it is expedient to grant the prayer of the said petitions: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The lease and agreement therein contained, which, except the plan annexed thereto, forms the schedule to this Act, is hereby confirmed and made valid in all respects as fully as if the several clauses and provisions thereof were set out at length in this Act. Agreement in schedule confirmed.

SCHEDULE.

THIS INDENTURE made this 1st day of January in the year of our Lord one thousand eight hundred and ninety-six, by and between:—

The Grand Trunk Railway Company of Canada, hereinafter called the Grand Trunk, of the first part, and the St. Lawrence and Adirondack Railway Company, hereinafter called the St. Lawrence Company, of the second part:

Whereas, the St. Lawrence Company desire instead of building an independent line of railway between Beauharnois and Valleyfield, in the province of Quebec, to lease the line of the Grand Trunk between said points for the period and on the terms and conditions hereinafter expressed;

Therefore, these presents witness that the said parties hereto have and they hereby do for the considerations above and hereinafter expressed, demise, covenant and agree each with the other, each for themselves and their respective successors and assigns as follows, that is to say :—

1. The Grand Trunk hereby demise and lease to the St. Lawrence Company, all that portion of their line of railway, shown in red on the plan annexed hereto, and which is hereby made part of these presents, that is to say, from the southerly end of the curve, south of the present Beauharnois station, to the present terminus at Valleyfield, together with all the stations, bridges, fences, buildings, sidings and fixtures of all kinds on the said line shown in red on the said plan between the points also shown in red on said plan, for and during and unto the full end and term of ninety-nine years, computing from the first day of January, in the year of our Lord, one thousand eight hundred and ninety-six, the said St. Lawrence Company yielding and paying to the Grand Trunk the clear yearly rent of seven thousand dollars, in each year, during the said tenancy, such payment to be made to the Grand Trunk at their head office in the city of Montreal, and the first of such payments to be made on the first day of July, 1896, now next, and so on from half year to half year during the continuance of the said term. Said rent to commence on the opening of the through line from Beauharnois to Cawthra, now under construction by the South-western Railway Company.

2. The St. Lawrence Company covenant with the Grand Trunk, that they will pay the said rent, and will pay all taxes and assessments of all kinds imposed or levied on the said premises and property, during the said term.

3. That the St. Lawrence Company will reconstruct and put the said line in good working order, as to stations, bridges, fences, tracks and other structures and buildings required for the proper working of the line.

4. That they will relay the said line with steel rails of not less than eighty pounds to the lineal yard.

5. That they at their own cost, will at all times during the said term, maintain and keep the said line and its appurtenances, including stations, bridges and other structures in good working order.

6. That the Grand Trunk shall have the right at all times during said term, with their own engines, to run one train each way, daily, passenger, freight or mixed, over said lines so completed and maintained, without any charge to the Grand Trunk; and the Grand Trunk shall also have the right to run additional trains at a charge of twenty-five cents per train mile run, and if at any time the Grand Trunk shall see fit to sign an agreement waiving their right of trackage during the balance of this lease, the St. Lawrence Company agree to make the annual rental ten thousand dollars per annum.

7. That if the St. Lawrence Company extend the Beauharnois line to the mills at Valleyfield, the Grand Trunk for the charge aforesaid shall have the right to use such extension for their purposes, with their said trains or any of them.

8. The St. Lawrence Company shall give seven days' notice to the Grand Trunk of its intention to change the time-bills for said leased line, and shall provide in said time-bills for the running of such trains as the Grand Trunk may desire to run, so far as can be done without inconvenience to the through service of the St. Lawrence Company. In case the Grand Trunk shall desire to change the time of its said trains, it shall give seven days' notice to the superintendent of the St. Lawrence Company of its desire to do so.

9. The order of precedence of trains shall be as follows:— Passenger trains of the St. Lawrence Company shall have precedence over all trains of the Grand Trunk. Mixed trains of the St. Lawrence Company shall have precedence over mixed and freight trains of the Grand Trunk. Freight trains of the St. Lawrence Company shall have precedence over freight trains of the Grand Trunk. Passenger trains of the Grand Trunk shall have precedence over mixed and freight trains of the St. Lawrence Company. Mixed trains of the Grand Trunk shall have precedence over freight trains of the St. Lawrence Company.

10. The use of the said portion of the said line so leased may be exercised by the Grand Trunk under the rules, regulations and supervision of the superintendent of the St. Lawrence Company, and his orders and directions and rules and regulations for the working of the line not at variance with this agreement shall be observed by the Grand Trunk trains and servants, while on said portion of said line.

11. It is further agreed that without other charge by the St. Lawrence Company than the said mileage charge, the Grand Trunk shall have the right for their purposes, to use the telegraph lines of the Great North-western Telegraph Company under their present arrangement with the said telegraph company and that the rights of the said telegraph company are not to be impaired by this agreement.

12. The said parties hereto further agree that the Grand Trunk shall have the right to take freight or passengers from any point on their line beyond the portion so leased to any point on the line so leased, and also from any point on the portion so leased to any portion on the Grand Trunk line, beyond the said leased portion. The Grand Trunk may also do any local business either freight or passenger between Beauharnois and Valleyfield and intermediate stations. The Grand Trunk shall at Valleyfield and other points between Valleyfield and Beauharnois have the use of any sidings belonging to the St. Lawrence Company put in now or hereafter for the purposes of the business of the said line, with the use of the stations and freight sheds, as may be necessary for the

exercise of their said running powers. In case the Grand Trunk shall require the use of the present engine-house at Valleyfield, the St. Lawrence Company shall maintain it for the use and at the expense of the Grand Trunk. After cessation of user of line Grand Trunk may remove same to any other place.

13. The Grand Trunk when necessary shall have the right to take water at Valleyfield for their locomotive engines free of charge, (provided the people of Valleyfield do not object).

14. The Grand Trunk shall if they desire it have the use of the station at or near Beauharnois and the expense of working said station shall be apportioned between the Grand Trunk and the St. Lawrence Company, from time to time in proportion to the number of engines and cars, freight and passenger, that each company shall take in and out of the said station,—the object of this lease being that each party shall for the consideration above expressed have such use of the above line as the business of each shall require and in such a way as shall give the least possible inconvenience to the other and to the mutual advantage of each.

15. That in the use and maintenance and working of the said railway so leased the St. Lawrence Company shall be subject to and shall comply with and observe all the several provisions of the General Railway Act or Acts of the Dominion of Canada in force for the time being respecting the working, use and maintenance of railways in Canada.

16. The Grand Trunk shall not be responsible for the acts or defaults of the servants of the St. Lawrence Company or for the efficiency or otherwise of the machinery and appliances or for the efficiency and stability of bridges and structures on the line or the state of the roadway, and the St. Lawrence Company shall not be responsible for the acts or defaults of the servants of the Grand Trunk or for the efficiency or otherwise of the machinery and appliances of the Grand Trunk used on said line, and in each case the party in default will save harmless and protect the other from all loss or damage to persons or property so caused.

17. Tools and movable property on the line hereby leased at the time this lease takes effect are not covered thereby or included therein.

18. It is further agreed that in default of payment of rent for six months after the same becomes due or the non-performance of any of the agreements or covenants above contained on the part of the St. Lawrence Company their successors or assigns shall give the Grand Trunk, their successors or assigns the right to re-enter and put an end to this lease and agreement without further action on the part of the Grand Trunk, but in the meantime and until such default the St. Lawrence Company shall have and enjoy the rights and possession above mentioned to the full extent above specified.

19. The Grand Trunk may use their own engines in doing for their purpose any necessary shunting. This is also covered by the above mentioned rate

20. The St. Lawrence Company agree that at the end of said term or sooner determination of this lease, they, their successors or assigns, will yield up to the Grand Trunk, their successors or assigns, the said railway with all its bridges, stations, fixtures and appliances in good order.

21. Each of the parties hereto will use all reasonable means to procure the passing by the Dominion Parliament at the next or subsequent sittings thereof an Act to validate the above contained lease and agreement with such provisions as may be deemed necessary.

22. Each of the parties hereto covenants and agrees with the other to abide by, perform and keep the above covenants according to the spirit, true intent and meaning thereof.

In witness whereof the parties hereto have hereunto affixed their respective corporate seals on the day and year first above written.

Signed, sealed and delivered in presence of CHAS. PERCY, <i>Treasurer.</i>	}	THE GRAND TRUNK RAILWAY Co. OF CANADA, CHAS. M. HAYS, <i>General Manager.</i>
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[L.S.]

FRANK G. SMITH, <i>Secretary.</i>	}	THE ST. LAWRENCE & ADIRONDACK RAILWAY Co., WM. SEWARD WEBB, <i>President.</i>
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[L.S.]

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59 VICTORIA.

CHAP. 19.

An Act respecting the Guelph Junction Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Guelph Junction Railway Company has, by Preamble.
its petition, prayed that the time be extended for the
construction of a portion of its railway as hereinafter men-
tioned, and it is expedient to grant the prayer of the said
petition: Therefore Her Majesty, by and with the advice and
consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. The Guelph Junction Railway Company may proceed to Time for con-
struction ex-
tended.
construct and complete the extension authorized by chapter
fifty-nine of the Statutes of 1887, within five years from the
passing of this Act, provided that the powers hereby granted
with respect thereto shall cease and be null and void as 1887, c. 59.
regards so much of the undertaking as then remains uncom-
pleted.

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most Excellent Majesty.



59 VICTORIA.

CHAP. 20.

An Act to incorporate the Huron and Ontario Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS a petition has been presented praying for the Preamble.
incorporation of a company to construct and operate the following lines of railway, and for other purposes as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. A. McKinnon Cameron of Meaford, Josiah W. Curts of Port Perry, Albert E. Scanlon of Bradford, Henry J. Rolston of Shelburne, William Laidlaw of Durham, Henry Horton Miller of Hanover, M. McNamara of Walkerton, John Green Murdock of Lucknow, W. R. Thompson of Teeswater, Norman McInnes of Tiverton, Andrew Malcolm of Kincardine, John M. Roberts and J. Reginald Shannon, both of Goderich, Thorp Wright of Flesherton, and John Humbertson of Ripley, all in the province of Ontario, together with such persons as become shareholders in the Company hereby incorporated, are hereby constituted a body corporate, under the name of "The Huron and Ontario Railway Company," hereinafter called "the Company." Incorporation.
Corporate name.

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

3. The Company may lay out, construct and operate lines of railway of the gauge of four feet eight and one-half inches— Lines of railway described.

(a.) from a point in the town of Port Perry in the county of Ontario to the town of Kincardine in the county of Bruce, touching the town of Uxbridge, and touching at or within half a mile of Mount Albert, Newmarket, Bradford, Beeton, Shelburne, Flesherton, Priceville, Durham and Walkerton;

(b.) from a point at or near Priceville, through Meaford, Owen Sound, Southampton, Port Elgin and Tiverton, to Kincardine;

(c.) From a point in Walkerton, through or near Mildmay, Teeswater and Lucknow, to Goderich, touching at Dungannon, with a connection between Lucknow and Kincardine through Ripley.

Declaratory.

4. The undertaking hereby authorized is declared to be a work for the general advantage of Canada.

Power to build docks, etc.

5. The Company at any point where the railway, or any branch thereof, touches or crosses any navigable waters, may, for the purposes of its business, build, equip, and operate docks and elevators, and steam and other vessels, and may collect wharfage and storage charges for the use of its wharfs and buildings, and may, in connection with its railway, convey passengers and freight.

Water and steam power.

6. The Company may acquire and utilize water and steam power, for the purposes of generating electricity for lighting, motor and heating purposes, in connection with its railway, or any branch or part thereof.

Provisional directors.

7. The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of the Company.

Vacancies.

2. If any provisional director dies or resigns before the first general meeting of the Company, the vacancy may be filled by the remaining provisional directors.

Capital stock.

8. The capital stock of the Company shall be two million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

Annual general meeting.

9. The annual general meeting of the shareholders shall be held on the first Monday in September in each year.

Election of directors.

10. At such annual meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose nine persons to be directors of the Company, one or more of whom may be paid directors of the Company.

Amount of bonds, etc., limited.

11. The Company may issue bonds, debentures, or other securities to the extent of ten thousand dollars per mile of the railway and branches, and six thousand dollars per mile additional debentures for each mile double-tracked, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreement with the Grand Trunk Ry. Co.

12. The Company may enter into an agreement with the Grand Trunk Railway Company of Canada for conveying or leasing

ing to such company, the railway of the Company hereby incorporated, in whole or in part, or any rights acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery, and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders called for the purpose of considering the same,—at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Proviso: approval of shareholders, and sanction of Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company hereby incorporated runs and in which a newspaper is published.

Notice of application for sanction.

13. A duplicate of the agreement, conveyance or lease referred to in section twelve of this Act, duly ratified and approved, shall be filed in the office of the Secretary of State at Ottawa, and notice thereof shall be given by the Company in the *Canada Gazette*, and the production of the Gazette containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

Agreement to be filed with Secretary of State.

14. Subject to the provisions of *The Railway Act*, and 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, 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 line of railway and its line of telegraph or telephone, and lines for the conveyance of electric power, upon, along, across, over and under the same; and may 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 its railway system, and its system of communication by telegraph and telephone, and for supplying electric power; and may stretch wires and other electrical contrivances thereon; and, as often as the Company, its agents, officers or workmen think proper, may enter upon, use, 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, subject, however, to the following provisions, that is to say:—

Company may enter upon public roads.

May construct its railway, erect poles, etc.

And stretch wires.

Travel not to be obstructed.

(a.) The Company shall not interfere with the public right of travelling on or using such public roads, highways, streets, bridges or watercourses, and other like places, and shall not do any unnecessary damage, nor in any way obstruct the entrance to any door or gateway or free access to any building erected in the vicinity;

Height of wires.

(b.) The Company shall not affix any wire less than twenty-two feet above the surface of the street or road, nor, without the consent of the municipal council having jurisdiction over the roads or streets of the municipality, erect more than one line of poles along any street or road;

Kind of poles.

(c.) In all municipalities the poles shall be as nearly as possible straight and perpendicular and shall, in cities, be painted, if so required by any by-law of the council;

Cutting poles in case of fire.

(d.) Whenever, in case of fire, it becomes necessary for its extinction or the preservation of property, that the poles or wires should be cut, the cutting, under such circumstances, of the poles or any of the wires of the Company, under the direction of the chief engineer or other officer in charge of the fire brigade, shall not entitle the Company to demand or to claim compensation for any damage thereby incurred;

Liability for damages.

(e.) The Company shall be responsible for all damages which its agents, servants or workmen, cause to individuals or property in carrying out or maintaining any of its said works;

Trees.

(f.) The Company shall not cut down or mutilate any shade, fruit or ornamental tree;

Approval of municipality.

(g.) In all municipalities the opening up of streets for the erecting of poles, or for carrying the wires under ground, shall be subject to the direction and approval of such engineer or other official as the council appoints, and shall be done in such manner as the council directs; the council may also direct and designate the places where the poles are to be erected in such municipality; and the surface of the street shall in all cases be restored, as far as possible, to its former condition, by and at the expense of the Company;

Company may be required to carry wires under ground.

(h.) No Act of Parliament requiring the Company, in case efficient means are devised for carrying telegraph or telephone wires under ground, to adopt such means, and abrogating the right given by this section to continue carrying lines on poles through cities, towns, or incorporated villages, shall be deemed an infringement of the privileges granted by this Act, and the Company shall not be entitled to damages therefor;

Workmen to wear badges.

(i.) No person shall labour upon the work of erecting or repairing any line or instrument of the Company, without having conspicuously attached to his dress a medal or badge, on which shall be legibly inscribed the name of the Company and a number by which he can be readily identified;

Private rights saved.

(j.) Nothing herein contained shall be deemed to authorize the Company, its servants, workmen or agents, to enter upon any private property for the purpose of erecting, maintaining

or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being ;

(k.) If, in the removal of buildings or in the exercise of the public right of travelling on or using any public road, highway or street, it becomes necessary that the said wires or poles be temporarily removed by cutting or otherwise, it shall be the duty of the Company, at its own expense, upon reasonable notice in writing from any person requiring the same, to remove such wires or poles, and in default of the Company so doing, it shall be lawful for any such person to remove the same at the expense of the Company, doing no unnecessary damage thereby ; and such notice may be given either at the office of the Company, or to any agent or officer of the Company in the municipality wherein such wires or poles are required to be removed, or in the case of a municipality wherein there is no such agent or officer of the Company, then either at the head office or to any agent or officer of the Company, in the nearest or any adjoining municipality to that in which such wires or poles require to be removed.

Temporary removal of lines or poles.

Notice to company.

15. The powers hereby conferred as to an electric railway shall be subject to the provisions of any general Act hereafter passed by the Parliament of Canada relating to electric railways.

Limitation of powers as to electric railways.

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59 VICTORIA.

CHAP. 21.

An Act to amend the Act incorporating the International Radial Railway Company,

[Assented to 23rd April, 1896.]

WHEREAS the International Radial Railway Company has by its petition prayed for the passing of an Act to amend as hereinafter mentioned the Act incorporating the Company, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The International Radial Railway Company, hereinafter called "the Company," may extend the lines of railway referred to in paragraph (a.) of section three of chapter forty-nine of the Statutes of 1895 incorporating the Company, as follows:—

The line from Hamilton to Guelph may be extended to a point on the shore of the Georgian Bay at or near the town of Meaford, passing through the counties of Wellington, Dufferin and Grey; and the line from Hamilton to Waterloo may be extended from Waterloo to a point on the shore of Lake Huron at or near the town of Goderich, passing through the counties of Perth and Huron, with a branch from some point on such extension connecting the same with the said extension of the line from Hamilton to Guelph.

2. Such extensions shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers hereby granted for their construction shall cease and be null and void as respects so much thereof as then remains uncompleted.

3. Subject to the provisions of *The Railway Act*, the Company shall have and may exercise, with respect to the said extensions of the said railway, all the rights, powers, franchises and privileges conferred upon it by its Act of incorporation.

S. 11 repealed. **4.** Section eleven of the said Act of incorporation is hereby repealed and the following substituted therefor:—

Election of
directors.

“11. At such annual meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose not less than seven nor more than eleven persons to be directors of the Company, one or more of whom may be paid directors of the Company.”

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most Excellent Majesty.



59 VICTORIA.

CHAP. 22.

An Act respecting the Kingston, Smith's Falls and Ottawa Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Kingston, Smith's Falls and Ottawa Railway Company have by their petition prayed that their Act of incorporation and the Acts amending it be further amended as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Subject to the provisions of this Act, the Act incorporating the Kingston, Smith's Falls and Ottawa Railway Company, being chapter eighty-eight of the Statutes of 1887, and the Act amending it, being chapter seventy-nine of the Statutes of 1889, and the Act respecting the said Company, being chapter ninety-five of the Statutes of 1891, are hereby revived and declared to be in force; and the times limited by the said Acts for the commencement and completion of the railway of the Company are hereby extended for two and five years respectively from the passing of this Act, and if the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway is not completed within the time fixed herein, then the powers granted by the said Acts and this Act shall cease and be null and void as respects so much of the railway as then remains uncompleted.

1887, c. 88,
1889, c. 79,
1891, c. 95,
revived.

Time for
construction.

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59 VICTORIA.

CHAP. 23.

An Act respecting the Lake Erie and Detroit River Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Lake Erie and Detroit River Railway Company has by its petition prayed that certain additional powers, as hereinafter set forth, be conferred on the said Company, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The Lake Erie and Detroit River Railway Company, hereinafter called "the Company," may lay out, construct, equip, finish and operate an extension of its line of railway from some point at or near the town of Simcoe, in the county of Norfolk, in the province of Ontario, to some point at or near the town of Fort Erie, in the county of Welland, in the said province; and all provisions of the Act incorporating the Company and amendments thereto relating to the issue of mortgage bonds, shall apply to the extension hereby authorized.

Extension authorized to Fort Erie.

2. The work on the extension hereby authorized shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers granted for such extension shall cease and be null and void as respects so much of the extension as then remains uncompleted.

Time for construction.

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59 VICTORIA.

CHAP. 24.

An Act respecting the Lindsay, Bobcaygeon and Pontypool Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Lindsay, Bobcaygeon and Pontypool Railway Company has by its petition prayed for the passing of an Act to extend the time limited for the commencement and completion of its railway, and it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :— Preamble.

1. Notwithstanding anything contained in chapter seventy-eight of the Statutes of 1894, the time for the commencement of the railway of the Lindsay, Bobcaygeon and Pontypool Railway Company and the expenditure of fifteen per cent on the amount of the capital stock as required by section eighty-nine of *The Railway Act* is hereby extended till the first day of August, one thousand eight hundred and ninety-eight, and the time for the completion of the railway as required by the said section is hereby extended till the first day of August, one thousand nine hundred and one ; and if such expenditure is not so made, and the railway is not so completed, on the said respective dates, then the powers granted to the Company shall cease and be null and void as respects so much of the railway as then remains uncompleted. Time for commencement and completion of railway extended.

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59 VICTORIA.

CHAP. 25.

An Act respecting the Montreal and Ottawa Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Montreal and Ottawa Railway Company Preamble. has, by its petition, prayed that the time for completing its railway be extended, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Montreal and Ottawa Railway Company may complete its railway or any portion or portions thereof within four years from the passing of this Act: provided that as to so much thereof as is not completed within that period the powers hereby granted shall cease and determine; and provided also that the authority hereby given shall cease unless the Company extends and completes the portion of its railway from its present line as far westerly as the village of Alfred within twelve months from the passing of this Act or such extended period, if any, as the Governor in Council may specify after the expenditure, within the said twelve months, of not less than one hundred thousand dollars in the construction of the said portion of the said railway. Time for construction extended.

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59 VICTORIA.

CHAP. 26.

An Act to incorporate the Montreal and Province Line Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the franchise, railway and property of the Preamble.
Montreal, Portland and Boston Railway Company, a
corporation heretofore existing under the jurisdiction of the
Parliament of Canada, have been sold by the sheriff of Montreal
under an execution issued at the instance of the Bank of
Hochelaga, a judgment creditor, the said sale having been
duly made upon the second day of March, one thousand
eight hundred and ninety-six; and whereas the Honourable
Farand Stewart Stranahan became the purchaser and *adjudi-*
cataire of the franchise, railway and property so sold and
adjudged by the sheriff of Montreal as aforesaid; and whereas
the said purchaser bought and became invested with the said
property in trust for himself and the other petitioners named
herein, for the purpose of holding, maintaining and operating
the said railway, its franchise, property and appurtenances;
and whereas it is expedient to incorporate the said purchasers
with all the powers and privileges necessary for the said pur-
pose; and whereas a petition has been presented praying for
the incorporation of a company to hold, possess, maintain and
operate the said railway as hereinafter set forth, and it is
expedient to grant the prayer of the said petition: Therefore
Her Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, declares and enacts as
follows:—

1. Edward C. Smith, the Honourable Farand Stewart Incorporation.
Stranahan, David D. Ranlett, Frank E. Chamberlin, Francis
W. Baldwin, James N. Greenshields, John Cassie Hatton,
Michael S. Lonergan and Robert A. E. Greenshields, together
with such persons as become shareholders in the company
hereby incorporated, are hereby constituted a body corporate
under the name of "The Montreal and Province Line Railway
Company," hereinafter called "the Company." Corporate
name.

Property
vested in
company.

2. The Company is hereby vested with the franchise, railway, property and appurtenances of the Montreal, Portland and Boston Railway Company, as conveyed and made over by the sheriff of Montreal, as set forth in the preamble, to the said Farand Stewart Stranahan in trust for the present incorporators and their associates, and the capital stock of the Company shall be issued to the said incorporators in such proportions and shares as may be determined by a vote of the majority of the said incorporators.

Allotment of
stock.

Declaratory.

1888, c. 29.

3. The undertaking of the Company is hereby declared to be a work for the general advantage of Canada; and *The Railway Act* shall apply to the Company and its undertaking.

Head office.

4. The head office of the Company shall be in the city of Montreal, but may be changed to any other place in Canada, as the directors from time to time determine by by-law.

Annual
meeting.

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

Capital stock.

6. The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each, and is hereby declared fully paid up and unassessable for calls.

Provisional
directors.

7. The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of the Company, and shall remain in office until replaced at the next annual meeting of the Company.

Directors.

8. The board of directors shall consist of nine members qualified as provided in *The Railway Act*, the majority of whom shall form a quorum.

Paid directors.

2. The directors may employ one or more of their number as paid directors.

Line of rail-
way described

9. The Company may maintain, manage, run and operate, upon the standard gauge of four feet eight and one-half inches, the line of railway heretofore known as the Montreal, Portland and Boston Railway, running from St. Lambert, by way of Chambly, Farnham and Frelighsburg, to the Province Line, with an extension from the crossing of the Grand Trunk Railway near St. Lambert to low water in the St. Lawrence River at the town of Longueuil, including the wharf heretofore constructed in connection with such extension, and also a branch running from Ste. Marie to St. Césaire,—the whole making a length of about sixty-six miles.

Issue of bonds.

10. The Company may make and issue in the manner provided by, and subject to the provisions of *The Railway Act*,
bonds

bonds not exceeding in the whole twenty thousand dollars per mile of single track of its railway, extensions, and branches, constructed or under contract to be constructed, and may secure such bonds in the manner provided by *The Railway Act*.

11. The Company may enter into agreements with the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Central Vermont Railroad Company, or the Boston and Maine Railroad Company, for conveying or leasing to such company the railway of the Company hereby incorporated, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value, of the stock are present in person or represented by proxy,—and that such agreement has also received the sanction of the Governor in Council.

Agreement with another company.

Approval of shareholders and sanction of Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published, in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company hereby incorporated runs and in which a newspaper is published.

Notice of application for sanction.

12. The vesting of the said property in the Company as provided in section two of this Act shall be subject to the condition that the memorandum agreement entered into by and between the said Honourable Farand Stewart Stranahan, as trustee of certain bondholders of the Montreal, Portland and Boston Railway Company, and Thomas G. Shaughnessy on behalf of the Canadian Pacific Railway Company, and the trustees of the bondholders of the South-eastern Railway Company, relating to the title to certain lands and property in the town of Farnham, and the surrender in exchange therefor of one hundred thousand dollars of bonds of the Montreal, Portland and Boston Railway Company, as set forth in the proposal of the said Farand Stewart Stranahan, dated at St. Albans, Vermont, the twenty-sixth day of November, one thousand eight hundred and ninety-two, and agreed to by the said Thomas G. Shaughnessy by his letter of acceptance dated the twenty-eighth day of November, one thousand eight hundred and ninety-two, is hereby ratified and confirmed; and certified copies of the said proposal and letter shall be filed in the office of the Secretary of State within thirty days after the passing of this Act; and the Company hereby incorporated shall carry

Agreement of 26th November, 1892, to be carried out.

out and fulfil the said memorandum agreement according to its form and tenor, and it shall be as obligatory upon the said Company as if it had been made and entered into by and between the said Company, the Canadian Pacific Railway Company and the trustees of the bondholders of the South-eastern Railway Company, their successors or assigns.

Railway to be repaired.

13. The said line of railway shall be repaired and put in operation under the powers hereby granted within two years from the passing of this Act.

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59 VICTORIA.

CHAP. 27.

An Act respecting the Montreal Island Belt Line Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Montreal Island Belt Line Railway Company has by its petition prayed for the passing of an Act for the purposes hereinafter mentioned, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The head office of the Montreal Island Belt Line Railway Company, hereinafter called "the Company," shall continue to be at the city of Montreal.

Head office.

2. The election of the board of directors at the meeting of shareholders held on the eighteenth day of September, one thousand eight hundred and ninety-five, is hereby confirmed and declared to be valid.

Election of directors confirmed.

3. The number of directors may be increased to twelve or reduced to seven, by by-law passed or approved by the shareholders.

Number of directors.

4. Section twenty-six of chapter eighty-three of the Statutes of 1894 is hereby amended by inserting after the word "Company" in the eighth line thereof the words "the Chateauguay and Northern Railway Company, the Jacques Cartier Union Railway Company."

1894, c. 83, section 26 amended.

5. Section twenty-seven of the said Act is hereby repealed, and in lieu thereof it is hereby enacted that if the construction of the main line of the Company's railway is not commenced within two years from the passing of this Act, or if the whole of the undertaking is not finished and in operation within seven years from the passing of this Act, then the powers granted for the construction thereof shall cease and be null and void, as respects so much of the undertaking as then remains uncompleted.

Section 27 repealed.

Time for construction.

6. Subsection two of section nine of the said Act is hereby repealed and the following subsection substituted therefor:—

“2. The Company shall not commence the construction of its elevated railway in the city of Montreal, or in the towns of Ste. Cunégonde or St. Henri, until an amount of two hundred and fifty thousand dollars shall have been paid into a chartered bank in Canada, to be appropriated only for the purposes of its undertaking, or until the Company shall have acquired property to the value of two hundred and fifty thousand dollars, over and above the amount of any encumbrance thereon, to the satisfaction of the Minister of Railways and Canals.”

Agreement
in schedule
confirmed.

7. The agreement made and entered into by the Montreal Island Belt Line Railway Company and the Chateauguay and Northern Railway Company, and set out in the schedule to this Act, is hereby confirmed and made valid so far as the respective parties thereto are concerned, and shall in all courts and places be taken and be held to be legal, valid and binding in all respects whatsoever upon the respective parties thereto.

Saving.

2. Nothing in this Act or in the said agreement shall be held to relieve either of the said companies from any of its duties, liens or other liabilities, or shall in any wise affect any suit or proceeding now pending either by or against either of the said companies, or any judgment existing, which may be prosecuted, continued or completed and enforced as if this Act had not been passed.

SCHEDULE.

This agreement and deed of sale made and entered into at the city of Montreal this thirty-first day of October in the year one thousand eight hundred and ninety-five, by and between the Montreal Island Belt Line Railway Company, a body corporate and politic incorporated by an Act of the Parliament of Canada having its head office and chief place of business in the city of Montreal hereto represented and acting by its president Olivier M. Augé and its acting secretary John P. Mullarkey duly authorized by resolution, and hereinafter called the “Belt Line Company,” and the Chateauguay and Northern Railway Company, a body corporate and politic incorporated by an Act of the legislature of the province of Quebec and having its head office and chief place of business in said city of Montreal, hereto represented and acting by its president Arthur Caron and its secretary John P. Mullarkey both duly authorized by resolution, and hereinafter called the “Chateauguay Company.”

Whereas the directors of the Chateauguay Company at a meeting duly called and held on the twenty-eighth day of October last (1895) did authorize and empower the president and secretary to sign and execute the deed of sale and transfer of that part of the company's railway constructed and to be

constructed from a point in Hochelaga Ward in the city of Montreal to lot No. 235 of the parish of Pointe aux Trembles in the county of Hochelaga, a distance of about thirteen miles, upon the terms and conditions hereinafter recited.

And whereas the directors of the Belt Line Company at a meeting duly called and held on the twenty-eighth day of October last (1895) did authorize the president and acting secretary of said company to sign and execute said deed of sale and transfer on behalf of said Belt Line Company upon the terms, conditions and provisions hereinafter recited.

Now these presents witness :

The said Chateaugay Company does hereby sell and transfer, make over and convey to the Belt Line Company hereto present and accepting that particular part of its railway constructed and to be constructed between a point in Hochelaga Ward in Montreal and lot No. 235 in the parish of Pointe aux Trembles, county of Hochelaga, province of Quebec, a distance of about thirteen miles, together with all and every its appurtenances, attachments and other property in connection therewith.

The Chateaugay Company hereby binds and obliges itself to have the said section of about thirteen miles fully completed to the satisfaction of the general manager of the said Belt Line Company on or before the fifteenth day of August next (1896).

And in consideration of said sale, transfer, conveyance and obligations the said Belt Line Company hereby binds and obliges itself to deliver to the said Chateaugay Company first mortgage bonds of said Belt Line Company to the amount of three hundred thousand dollars and also paid-up shares in the capital stock of said Belt Line Company to the amount of two hundred and fifty thousand dollars. And also the sum of twenty-five thousand dollars in cash.

In part payment of which the Chateaugay Company hereby acknowledges to have received said sum of twenty-five thousand dollars from the said Belt Line Company before the execution of these presents.

The said Belt Line Company hereby binds and obliges itself to deliver said bonds and shares on or before the said fifteenth day of August next (1896).

In default of this agreement being ratified by the Governor General in Council or by an Act of the Parliament of Canada within six months from the date hereof, or should the said Chateaugay Company fail in completing the work to the satisfaction of the general manager of the Belt Line Company, or should the said delivery of bonds and shares not be made as above provided, this agreement shall be null and void and of no effect. It is expressly agreed, however, between said companies that this agreement shall not vest any ownership or convey any transfer of property whatever in advance of the total payment and acquittance of said consideration price.

It is further expressly agreed that if the Belt Line Company fails or neglects to deliver said bonds and shares as above specified not later than the fifteenth day of August next (1896) then and in that case the Chateauguay Company shall not be bound to refund said sum of twenty-five thousand dollars received on account of consideration price nor shall it be liable in any way to the Belt Line Company therefor even if this agreement be ratified by the Governor General in Council or by an Act of Parliament, provided however said Chateauguay Company fulfils the obligations assumed by it in virtue of this agreement.

The parties hereto bind and oblige themselves to sign and execute any further documents that may be necessary to give full force and effect to this agreement.

THE MONTREAL ISLAND BELT LINE RAILWAY COMPANY.

O. M. AUGÉ, *President.*

J. P. MULLARKEY, *Acting Secretary.*

THE CHATEAUGUAY AND NORTHERN RAILWAY COMPANY.

ARTHUR CARON, *President.*

J. P. MULLARKEY, *Secretary.*

Signed in presence of

E. J. CHAPLEAU.

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59 VICTORIA.

CHAP. 28.

An Act respecting the Montreal Park and Island Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Montreal Park and Island Railway Company has by its petition prayed for the passing of an Act to confer upon it the powers hereinafter mentioned, and it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Section three of chapter eighty-four of the Statutes of 1894, c. 84, incorporating the Montreal Park and Island Railway Company, hereinafter called "the Company," is hereby repealed and the following substituted therefor :—

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

2. Section eleven of the said Act is hereby amended by inserting after the words "St. Lawrence," in the seventh line the following words : "and the owners of such bridges may so contract with the Company and afford passage and transit for the cars or vehicles of the Company ;"

3. Section seventeen of the said Act is hereby amended by striking out the word "fifteen" in the third line thereof, and substituting therefor the words "twenty-five."

4. The directors, under the authority of the shareholders to them given at a general meeting specially called for the purpose, at which meeting shareholders holding at least two-thirds in value of the capital stock of the Company are present or represented, may issue preference stock to an amount not exceeding one hundred shares of one hundred dollars each per mile, that is to say, ten thousand dollars per mile for every mile of railway or branches constructed or under contract to be constructed, entitling the holder thereof, in priority to all other shareholders, to a cumulative dividend payable thereon, at

at such rate not exceeding six per cent per annum as the directors see fit, out of the net earnings of the Company, after the interest on the first mortgage bonds is paid.

Redemption of preference stock.

2. The Company may at any time redeem and cancel such preference stock or any portion thereof, upon the terms and conditions stipulated and set forth in the resolution authorizing its issue.

Rights of holders of preference stock.

3. The holders of such preference stock shall have the rights, privileges and qualifications of holders of capital stock for voting at meetings of the Company, or for being directors, or for any other purpose.

Power to sell preference stock.

4. The directors may issue and sell or pledge all or any of the said preference shares at the best price and on the best terms and conditions at the time obtainable, to raise money for the undertaking.

Division of undertaking into sections.

5. The Company may divide its undertaking into sections and issue the bonds and other securities authorized to be issued, separately with respect to each of the said sections, or as to certain sections combined, or on the whole line of the railway of the Company ; and such bonds or other securities, if so issued, shall, subject to the provisions contained in section ninety-four of *The Railway Act*, form a first charge upon and be limited to the particular section with respect to which they are issued, and upon the rents and revenues thereof, and upon all the property of the Company belonging to such section.

Separate issue of bonds on each section.

General powers and business of the Company.

6. The Company may, for the purposes of its railway, and in connection with its business and the development thereof,—

(a.) build, charter, lease or purchase steam, electric or other boats or vessels, and operate and manage them, on any navigable waters reached by their lines of railway, and construct and maintain docks, wharfs and other buildings necessary for their use ;

(b.) acquire by lease, purchase or otherwise, any exclusive rights in letters patent, franchises or patent rights, for the purpose of its works and undertaking, and again dispose of such rights.



59 VICTORIA.

CHAP. 29.

An Act respecting the Nelson and Fort Sheppard Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Nelson and Fort Sheppard Railway Company has by its petition prayed that certain powers as hereinafter set forth be conferred upon the said Company; and whereas it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The Company may construct, equip, work and maintain a telegraph line and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public, and collect tolls for so doing; and for the purposes of erecting and working such telegraph and telephone lines, the Company may enter into a contract with any other company, foreign or domestic, or may lease any of the Company's lines or any portion thereof, to the Spokane Northern Telegraph Company.

Construction of telegraph and telephone lines.

2. *The Electric Telegraph Companies Act*, chapter one hundred and thirty-two of the Revised Statutes, shall apply to the telegraphic business of the Company.

R.S.C., c. 132

3. With the consent of the municipal council, or other authority having jurisdiction over the roads and streets of any city, town, municipality or district, the Company may, by its servants, agents or workmen, 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, district or other place, for the purpose of constructing, erecting, equipping, working and maintaining its lines of telegraph and telephone upon, along, across, over and under the same; and may erect, equip and maintain such and so many poles or other works and devices as the Company deems necessary for making, completing and supporting,

Power to enter upon roads, etc.

And to erect poles and stretch lines.

supporting, using, working and maintaining the system of communication by telegraph and telephone; and may stretch wires and other telegraphic and telephonic contrivances thereon; and, as often as the Company, its agents, officers or workmen think it proper, may break up or open any part whatsoever of the said public roads, highways, streets, bridges, watercourses, navigable and non-navigable waters and other like places, subject, however, to the following provisions, that is to say:—

And to break up roads.

Right of travel, etc., not to be impeded.

(a.) The Company shall not in the construction or operation of its telegraph or telephone lines interfere with the public right of travelling on or using such public roads, highways, streets, bridges or watercourses, and other like places, and shall not do any unnecessary damage, nor in any way obstruct the entrance to any door or gateway or free access to any building erected in the vicinity;

Height of wires.

(b.) The Company shall not affix any wires less than twenty-two feet above the surface of the street or road, nor without the consent of the municipal council having jurisdiction over the roads or streets of the municipality erect more than one line of poles along any street or road;

Kind of poles.

(c.) In all municipalities the poles shall be as nearly as possible straight and perpendicular, and shall, in cities, be painted, if so required by any by-law of the council;

Cutting of poles, etc., in case of fire.

(d.) Whenever, in case of fire, it becomes necessary for its extinction or the preservation of property, that the poles or wires should be cut, the cutting, under such circumstances of the poles or any of the wires of the Company, under the direction of the chief engineer or other officer in charge of the fire brigade, shall not entitle the Company to demand or to claim compensation for any damage thereby incurred;

Damages.

(e.) The Company shall be responsible for all damage which its agents, servants or workmen cause to individuals or property in carrying out or maintaining any of its said works;

Trees.

(f.) The Company shall not cut down or mutilate any shade, fruit or ornamental tree;

Opening of streets, location of poles, etc.

(g.) In all municipalities the opening up of streets for the erection of poles, or for carrying the wires under ground, shall be subject to the supervision of such engineer or other person as the council appoints for that purpose, and shall be done in such manner as the council directs; the council may also direct and designate the places where the poles are to be erected in such municipality; and the surface of the streets shall in all cases be restored, as far as possible, to its former condition by and at the expense of the Company;

As to future legislation.

(h.) No Act of Parliament requiring the Company, in case efficient means are devised for carrying telegraph or telephone wires under ground, to adopt such means, and abrogating the right given by this section to continue carrying lines on poles through cities, towns or incorporated villages, shall be deemed

an infringement of the privileges granted by this Act, and the Company shall not be entitled to damages therefor;

(i.) No person shall labour upon the work of erecting or repairing any line or instrument of the Company without having conspicuously attached to his dress a medal or badge on which shall be legibly inscribed the name of the Company and a number by which he can be readily identified;

Badge to be worn by company's servants.

(j.) Nothing in this section contained shall be deemed to authorize the Company, its servants, workmen or agents, to enter upon any private property for the purpose of erecting, maintaining or repairing any of its wires, without the previous assent of the owner or occupant of the property for the time being;

Entering upon private property.

(k.) If, in the removal of buildings or in the exercise of the public right of travelling on, or using any public road, highway or street, it becomes necessary that the said wires or poles be temporarily removed, by cutting or otherwise, it shall be the duty of the Company, at its own expense, upon reasonable notice in writing from any person requiring the same, to remove such wires or poles, and in default of the Company so doing, it shall be lawful for any such person to remove the same at the expense of the Company, doing no unnecessary damage thereby; and such notice may be given either at the head office of the Company or to any agent or officer of the Company in the municipality wherein such wires or poles are required to be removed, or in the case of a municipality wherein there is no such agent or officer of the Company, then either at the head office or to any agent or officer of the Company in the nearest or adjoining municipality to that in which such wires or poles require to be removed.

Temporary removal of wires, etc.

Notice to the Company.

4. The Company may enter into arrangements with any other telegraph or telephone company, foreign or domestic, for the exchange and transmission of messages, or for the working in whole or in part of the lines of the Company.

Arrangements with other companies.

5. This Act may be cited as *The Nelson and Fort Sheppard Railway Company's Telegraph Act, 1896.*

Short title.

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59 VICTORIA.

CHAP. 30.

An Act to consolidate and amend certain Acts relating to the Nipissing and James Bay Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Nipissing and James Bay Railway Company has by its petition prayed for the consolidation of the Acts relating to the Company, for certain additional powers, and for a declaration that its railway is a work for the general advantage of Canada ; and whereas it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows :—

1. This Act may be cited as *The Nipissing and James Bay Railway Act, 1896.* Short title.

2. The Acts mentioned in the schedule to this Act are hereby repealed and in lieu thereof this Act, and, in matters not provided for by this Act, *The Railway Act* and its amendments, shall apply to the Nipissing and James Bay Railway Company, hereinafter called "the Company," and to the undertaking of the Company. Repeal. Application of this Act.

2. The said repeal shall not in any way affect—

(a.) the corporate existence of the Company, which, together with all such persons as hereafter become shareholders in the Company, shall continue to be the same body corporate ; or

(b.) any obligation, debt or liability of the Company now existing ; or

(c.) any right now existing, accruing, accrued or established ; or

(d.) any suit, action or proceeding at law or in equity now pending. Effect of repeal.

3. The head office of the Company shall be at the city of Toronto, and may be changed to such other place in Canada as is fixed by by-law passed at any annual general meeting or at any special meeting of shareholders duly called for that purpose. Head office.

Place of general meetings.

4. General meetings of the Company, whether annual or special, may be held at the city of Toronto, or elsewhere, as may be appointed by by-law of the Company.

Annual meeting.

2. The annual general meeting of the Company shall be held on the first Wednesday in September in each year.

Capital stock.

5. The capital stock of the Company shall be two millions of dollars divided into shares of one hundred dollars each.

Paid-up stock.

2. The directors may make and issue as paid-up stock, shares in the Company, whether subscribed for or not, and may allot and hand over such stock in payment for right of way, rolling stock or materials of any kind, and also for the services of contractors and engineers; and also, when authorized by the shareholders at any general meeting or special meeting called for the purpose, may accept payment in full for stock from any subscriber therefor at the time of making subscription thereof, or at any time before the making of a final call thereon, and may allow such percentage or discount as they deem expedient or reasonable, and such issue or allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls.

Calls.

3. No call upon shareholders in respect of capital stock shall exceed ten per cent on the amount subscribed.

Present board of directors.

6. The present board of directors of the Company shall continue to be the directors of the Company until replaced by others elected under the provisions of *The Railway Act* and of this Act.

Number of directors.

2. The number of directors of the Company shall be, from time to time, determined by by-law, but shall not exceed nine nor be less than five, of whom a majority shall form a quorum.

Paid directors.

3. The directors may employ one or more of their number as a paid director.

Line of railway.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from some point at or near the junction of what was formerly known as the Northern and Pacific Junction Railway with the Canadian Pacific Railway to Moose Factory, or some other point on James's Bay.

Telegraph and telephone lines.

8. The Company may construct and operate lines of telegraph and telephone in connection with and along the line of the railway and branches, and may construct, equip, acquire and operate telegraph and telephone lines beyond the said railway to any point on James's Bay, Hudson's Bay and Hudson's Straits, and may lay submarine lines for telegraph and telephone connections between such points, and may undertake the transmission of messages for the public by all of such lines or any other portion thereof.

9. 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, 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 line or lines of telegraph and telephone and lines for the conveyance of electric power upon, along, across, over and under the same; and may erect, equip and maintain such and so many poles and other works and devices as the Company deems necessary for making, completing and supporting, using, working and maintaining the system of communication by telegraph and telephone and for supplying power; and may stretch wires and other electrical contrivances thereon; and, as often as the Company, its agents, officers or workmen think proper, may 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, subject, however, to the following provisions, that is to say:

Company may enter upon public lands.

May erect poles.

May break up streets, etc.

(a.) The Company shall not interfere with the public right of travelling on or using such public roads, highways, streets, bridges, or watercourses, and other like places, and shall not do any unnecessary damage, nor in any way obstruct the entrance to any door or gateway or free access to any building erected in the vicinity;

Travel not to be obstructed.

(b.) The Company shall not affix any telegraph or telephone wire less than twenty-two feet above the surface of the street or road, nor without the consent of the municipal council having jurisdiction over the roads or streets of the municipality, erect more than one line of poles along any street or road;

Height of wires, etc.

(c.) In all municipalities the poles shall be as nearly as possible straight and perpendicular, and shall, in cities, be painted, if so required by any by-law of the council;

Kind of poles.

(d.) Whenever, in case of fire, it becomes necessary for its extinction or the preservation of property, that the poles or wires should be cut, the cutting under such circumstances of the poles or any of the wires of the Company, under the direction of the chief engineer or other officer in charge of the fire brigade, shall not entitle the Company to demand or to claim compensation for any damage thereby incurred;

Cutting poles or wires in case of fire.

(e.) The Company shall be responsible for all damage which its agents, servants or workmen cause to individuals or property, in carrying out or maintaining any of its said works;

Liability for damages.

(f.) The Company shall not cut down or mutilate any shade, fruit or ornamental tree, in carrying on any work under this section;

Trees.

(g.) In all municipalities, the opening up of streets for the erection of poles, or for carrying the wires under ground, shall be subject to the direction and approval of such engineer or other

Approval of municipality.

other official as the council appoints, and shall be done in such manner as the council directs; the council may also direct and designate the places where the poles are to be erected in such municipality; and the surface of the street shall in all cases be restored as far as possible to its former condition by and at the expense of the Company;

Carrying
wires under
ground.

(h.) No Act of Parliament requiring the Company, in case efficient means are devised for carrying telegraph or telephone wires under ground, to adopt such means, and abrogating the right given by this section to continue carrying lines on poles through cities, towns or incorporated villages, shall be deemed an infringement of the privileges granted by this Act, and the Company shall not be entitled to damages therefor;

Workmen to
wear badges.

(i.) No person shall labour upon the work of erecting or repairing any line or instrument of the Company, without having conspicuously attached to his dress a medal or badge, on which shall be legibly inscribed the name of the Company and a number by which he can be readily identified;

Private
rights.

(j.) Nothing herein contained shall be deemed to authorize the Company, its servants, workmen or agents to enter upon any private property for the purpose of erecting, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being;

Temporary
removal of
lines or wires.

(k.) If in the removal of buildings or in the exercise of the public right of travelling on, or using any public road, highway or street, it becomes necessary that the said wires or poles be temporarily removed by cutting or otherwise, it shall be the duty of the Company, at its own expense, upon reasonable notice in writing from any person, requiring the same, to remove such wires or poles, and in default of the Company so doing, it shall be lawful for any such person to remove the same at the expense of the Company, doing no unnecessary damage thereby; and such notice may be given either at the office of the Company or to any agent or officer of the Company in the municipality wherein such wires or poles are required to be removed, or in the case of a municipality wherein there is no such agent or officer of the Company, then either at the head office or to any agent or officer of the Company, in the nearest or any adjoining municipality to that in which such wires or poles are so required to be removed.

Notice to the
company.

Powers as to
vessels.

10. The Company may build, purchase, acquire, charter, lease, possess, work and operate steam and other vessels on any lakes, rivers or navigable waters, for such purposes in connection with their undertaking as they deem proper and expedient, and may enter into arrangements and agreements with owners of steam and other vessels for such purposes.

Docks, etc.

11. The Company may construct, purchase, lease or otherwise acquire or hold wharfs, docks, elevators and warehouses in connection with the railway.

12. The Company, in addition to other powers under *The Railway Act*, may, if it cannot agree for the purchase thereof with the owner of the land required for wharfs, docks, elevators and warehouses, cause a map or plan and book of reference to be made of the land required for any of the purposes aforesaid, and all the provisions of sections one hundred and seven to one hundred and eleven, both inclusive, of *The Railway Act*, shall apply to the subject-matter of this section and to the obtaining of such land and determining the compensation therefor.

Expropria-
tion of lands.

13. The Company, for the purpose of aiding the construction, equipment or maintenance of their undertaking, may, in connection with its railway or any branch or part thereof, purchase from the Government of Canada, or from the Government of any province of Canada, or from any corporation, company or person, lands including waterpowers and mill privileges, and may hold, dispose of, sell, pledge or mortgage such lands; and may acquire and utilize water and steam power for the purpose of generating electricity for lighting and motor purposes in connection with its railway or any branch or part thereof; and may operate the said railway or any branch or part thereof by electricity.

Powers as to
lands, etc.

Electricity

14. The Company may issue bonds, debentures or other securities, to the extent of twenty-five thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed, and the Company may issue such bonds, debentures or other such securities, in one or more separate series, and limit the security for any series to such of the franchises, property, assets, rents, and revenues of the Company, present or future, or both, as are described in the mortgage deed made to secure each separate series of bonds, debentures or other securities; and every such limited series of such bonds, debentures or other securities, if so issued, shall, subject to the provisions contained in section ninety-four of *The Railway Act*, form a first charge upon, and be limited to, the particular franchises, property, assets, rents and revenues of the Company with respect to which they are issued and which shall be described in the mortgage deed made to secure the same.

Issue of bonds.

15. The Company may enter into an agreement with the Grand Trunk Railway Company of Canada, or the Canadian Pacific Railway Company, for conveying or leasing to such company the railway of the Company in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and

Agreement
with another
company.

Approval of shareholders and sanction of Governor in Council.

and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders, duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also, for a like period in one newspaper in each of the electoral districts through which the railway of the Company runs, and in which a newspaper is published.

Declaratory.

16. The undertaking and works authorized and mentioned herein are declared to be works for the general advantage of Canada.

Sale of part of railway.

17. Notwithstanding anything hereinbefore contained, the Company may sell that portion of its line at present under construction from the junction of what was formerly known as the Northern and Pacific Junction Railway with the Canadian Pacific Railway to the town line between the townships of Ferris and Widdifield to the Grand Trunk Railway Company of Canada, with all the improvements thereon, provided that the agreement for such sale has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy; and the said portion of its line, if so sold, shall not be subject to any lien or charge for any bonds thereafter issued by the Company.

Approval of shareholders.

Time for construction.

18. The railway of the Company shall be completed to Lake Tamogaming within three years, and to Lake Temiscamingue within five years, and the balance of the said railway within seven years from the passing of this Act, and upon failure to complete the same as herein provided, then the power thereafter to continue the construction shall cease and determine, but the right of the Company to the portion constructed shall not thereby be affected.

SCHEDULE

ACTS OF THE PARLIAMENT OF CANADA REPEALED BY THIS ACT.

Year.	Title.	Extent of Repeal.
47 Vict., c. 80.	An Act to incorporate the Lake Nipissing and James Bay Railway Company.....	The whole.
49 Vict., c. 77.	An Act to amend the Act to incorporate the Lake Nipissing and James Bay Railway Company.....	The whole.
51 Vict., c. 80.	An Act respecting the Lake Nipissing and James Bay Railway Company.....	The whole.
52 Vict., c. 81.	An Act respecting the Lake Nipissing and James Bay Railway Company and to change the name of the Company to the Nipissing and James Bay Railway Company	The whole.
55 & 56 Vict., c. 51.	An Act respecting the Nipissing and James Bay Railway Company	The whole.

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59 VICTORIA.

CHAP. 31.

An Act respecting the Pontiac Pacific Junction Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Pontiac Pacific Junction Railway Company Preamble. has by its petition prayed that the Acts relating to the Company be amended as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. In addition to its line of railway already constructed, the Pontiac Pacific Junction Railway Company may lay out, construct, maintain and operate, with single or double track of the standard gauge of four feet eight and one-half inches, the following lines of railway:—

(a.) An extension of its present line from its present north-westerly terminus at or near Waltham in the county of Pontiac, crossing the Ottawa River at Allumette Island, to the town of Pembroke in the province of Ontario, and thence in a north-westerly direction beyond Pembroke, passing to the south of Lake Nipissing and crossing the Gravenhurst and Callender Railway at a point about twenty miles south of Callender station, to Sault Ste. Marie; Lines of railway authorized.

(b.) A branch or extension of its line from its present terminus at or near Waltham aforesaid, in a north-westerly direction through the province of Quebec, to some point in the county of Pontiac; Extension N. W. from Waltham.

(c.) An extension of its line from its present south-easterly terminus at or near the town of Aylmer in the county of Ottawa to some point in or near the city of Hull, and thence across the Ottawa River to some point in the city of Ottawa. Extension from Aylmer to Ottawa.

2. The said extensions shall be commenced within three years and completed within five years from the passing of this Act, otherwise the powers granted for the construction thereof shall cease and be null and void as respects so much of the said extensions as then remains uncompleted. Time for construction limited.

Bridges over the Ottawa at Allumette Island.

3. The Company may lay out, construct, maintain, operate, manage and use a bridge or bridges for railway and other purposes over the Ottawa River from a point on the line of its railway in the county of Pontiac at Allumette Island to some point on the line of its railway in the province of Ontario, and may construct, maintain, operate and equip all the necessary approaches and terminal facilities for such bridges.

Lights on bridges.

2. From sundown until sunrise during the season of navigation, lights shall always be maintained by the Company on the piers of the bridges over such channel or channels as are navigable to guide vessels approaching them.

Agreement with another company.

3. The Company may unite with any other companies for the construction and maintenance of the said bridges and approaches as a joint work, or for the joint working, managing, and using the same, and may enter into any agreement with any such company respecting the construction, maintenance, management and use thereof.

Plan of bridges to be approved by Governor in Council.

4. The Company shall not commence the said bridges, or any of them, or any work thereunto appertaining, until it has submitted to the Governor in Council plans of each such bridge, and of all the intended works thereunto appertaining, nor until the plans and site of each such bridge or other works have been approved by the Governor in Council, and such conditions as he thinks fit to impose touching the said bridges and other works for the public good have been complied with; nor shall any such plans be altered, or any deviation therefrom allowed, except upon the permission of the Governor in Council, and upon such conditions as he imposes.

Rate of tolls to be approved by Governor in Council.

5. If the said bridges are constructed or arranged for the use of foot passengers and carriages, or either, as well as for railway purposes, then the toll to be charged for the passage of such foot passengers and carriages shall, before being imposed, be first submitted to and approved, and may be amended and modified from time to time by the Governor in Council; but the Company may, at any time, reduce the said tolls; and a notice showing the tolls authorized to be charged shall, at all times, be posted up in a conspicuous place on the said bridges.

Equal rights in passage of bridges.

6. So soon as each bridge is completed and ready for traffic all trains and cars of all railways connecting with the same, now constructed or hereafter to be constructed, and also the trains and cars of all companies whose lines connect with the line of any company so connecting with the said bridges and approaches shall have and be entitled to the same and equal rights and privileges in the passage of the said bridges, so that no discrimination or preference in the passage of the said bridges and approaches, or in tariff rates for transportation, shall be made in favour of or against any railway whose business or trains pass over the said bridges.

7. In case of any disagreement as to the rights of any railway company whose business or trains pass over such bridges, or as to the tariff rates to be charged in respect thereof, the same shall be determined by the Railway Committee of the Privy Council, as provided in section eleven of *The Railway Act*.

Disputes to be settled by railway committee.

8. The rights, powers and franchises conferred upon the Company by the Acts relating to the Company with respect to the construction, maintenance, issue of bonds in respect of, and operation of, a bridge over the Ottawa River at or near the city of Ottawa and works in connection therewith are, notwithstanding anything in any of the said Acts or in any other Act contained, hereby declared to have continued and to be still in force.

Certain provisions declared to be in force.

9. The said bridges shall be completed within five years from the passing of this Act, otherwise the powers granted for such construction shall cease and be null and void as respects such of the said bridges as are not then completed.

Time for construction of bridges.

10. In lieu of the provisions relating to the issue of bonds contained in any of the Acts respecting the Company, except as to bridge bonds, the Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway and branches of the Company, and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed: Provided that until the withdrawal or payment and cancellation of the bonds, debentures or other securities, if any, of the Company issued and outstanding at the time of the passing of this Act, the authority contained in this section to issue bonds, debentures or other securities shall be exercised only to the extent of the difference in amount between the said bonds, debentures or other securities so issued as aforesaid and outstanding and the said twenty-five thousand dollars per mile of the railway and branches of the Company constructed or under contract to be constructed.

Issue of bonds other than bridge bonds.

11. The Company may enter into an agreement with the Canadian Pacific Railway Company, the Ottawa and Gatineau Railway Company, the Canada Atlantic Railway Company, the Ottawa, Arnprior and Parry Sound Railway Company, the Kingston, Smith's Falls and Ottawa Railway Company, or the Montreal and Ottawa Railway Company for conveying or leasing to such company the railway of the Pontiac Pacific Junction Railway Company, in whole or in part, or any of its rights and powers, as also the franchises, surveys, plans, work, plant, material, machinery, bridges and other property belonging to it, or for an amalgamation with any one or more

Agreement with other companies.

Proviso: approval of shareholders.

And of Governor in Council.

Notice of application for approval.

of such companies on such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit : Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has received the sanction of the Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs and in which a newspaper is published.

Issue of bonds on completion of agreement.

12. In the event of the purchase by the Company of the railway of the Ottawa and Gatineau Railway Company, or of the sale of the railway of the Company to the Ottawa and Gatineau Railway Company, or of an amalgamation of the said two companies, the Company, or the Ottawa and Gatineau Railway Company, or such amalgamated company, as the case may be, may, after such purchase, sale, or amalgamation, as the case may be, in lieu of the provisions relating to the issue of bonds, excepting the bridge bonds, contained in any of the Acts respecting the said two companies, issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the said railways and their branches constructed or under contract to be constructed : Provided that, until the withdrawal or payment and cancellation of the bonds, debentures or other securities of the Company issued and outstanding at the time of such sale, purchase, or amalgamation, as the case may be, the authority contained in this section to issue bonds, debentures or other securities shall be exercised only to the extent of the difference in amount between the said bonds, debentures or other securities so issued as aforesaid and outstanding at the time aforesaid, and the said twenty-five thousand dollars per mile of the said railways and their branches, constructed or under contract to be constructed.

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59 VICTORIA.

CHAP. 32.

An Act respecting the St. Lawrence and Adirondack Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the St. Lawrence and Adirondack Railway Preamble.
Company, incorporated by an Act of the Parliament of
Canada passed in the fifty-first year of Her Majesty's reign,
chaptered sixty-four, and the Malone and St. Lawrence Rail-
way Company, organized under the laws of the state of New 1888, c. 64
York, one of the United States of America, have under the
provisions of the Acts and laws relating to the said companies,
entered into a joint agreement for the amalgamation and con-
solidation of the said two companies as one company, under the
name of "The St. Lawrence and Adirondack Railway Com-
pany," which agreement has been duly sanctioned by the
shareholders of the said St. Lawrence and Adirondack Com-
pany, and has also received the approval of the Governor in
Council, and a true copy whereof is set out in the schedule
to this Act; and whereas the said two companies have by
their petition prayed for the passing of an Act ratifying and
confirming the said agreement; and whereas the St. Lawrence
and Adirondack Railway Company secondly herein mentioned
has, subject to the authorization and approval of the Parlia-
ment of Canada, entered into an indenture of lease and agree-
ment with the Grand Trunk Railway Company of Canada for
the lease to it of that portion of the Grand Trunk Railway
which extends between a point at or near Beauharnois and a
point at or near Valleyfield in the province of Quebec, which
agreement has, subject to the said authorization and approval
being obtained, been sanctioned by the shareholders of the said
lessees; and whereas the said lessees and the Grand Trunk
Railway Company have by their petitions prayed that an Act be
passed authorizing, ratifying and confirming the said indenture
of lease and agreement; and whereas the St. Lawrence and Ad-
irondack Railway Company has also by its petition prayed for
the passing of an Act giving it further powers as hereinafter
mentioned; and whereas it is expedient to grant the prayer of
the said petitions: Therefore Her Majesty, by and with the
vol. II—5 65 advice

advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows :—

Agreement confirmed.

1. The agreement of amalgamation and consolidation contained in the schedule to this Act is hereby ratified and confirmed and shall be taken and read as part of this Act, and the amalgamation and consolidation thereby effected is hereby declared to be valid and operative as and from the eleventh day of November, one thousand eight hundred and ninety-five.

Incorporation of new company.

2. From the date last above mentioned, the said amalgamated companies and the shareholders thereof shall be deemed to have become, and are hereby declared to have been and to be, a body corporate and politic under the name of "The St. Lawrence and Adirondack Railway Company," hereinafter called "the Company," and from the said date shall be deemed to have been and to be vested with and to have possessed and to possess all the rights, franchises, powers, privileges, property and assets of the said amalgamating companies and each of them.

Corporate name.

Existing rights, etc., not to be affected.

3. Nothing in this Act or in the said agreement of amalgamation shall be held to relieve either of the said companies from any contract or liability entered into or incurred before the said last mentioned date, but the Company hereby incorporated shall be liable for all debts, duties and obligations of each of the companies so amalgamated; and no proceedings of any nature, either by or against the said companies so amalgamated or either of them, shall be abated or discontinued by reason of the said amalgamation or consolidation or of this Act, but the same shall be continued to their termination as if the said amalgamation or consolidation had not been effected.

Declaratory.

4. All the lines and branch lines of railway constructed or authorized to be constructed in Canada, by the Acts of the Parliament of Canada relating to the St. Lawrence and Adirondack Railway Company first above mentioned are hereby declared to be works for the general advantage of Canada.

Indenture in schedule confirmed.

5. The indenture of lease and agreement between the Company and the Grand Trunk Railway Company of Canada dated the first day of January, one thousand eight hundred and ninety-six, a true copy whereof is set out in the schedule to an Act passed at the present session of the Parliament of Canada, intituled *An Act to confirm a certain lease and agreement between the Grand Trunk Railway Company of Canada and the St. Lawrence and Adirondack Railway Company*, is hereby authorized, ratified and confirmed and declared to be valid and binding on the parties thereto; and each of the companies parties thereto may do whatever is necessary to give effect to the substance and intention of the said indenture.

1888, c. 29.

6. *The Railway Act* shall apply to the Company.

SCHEDULE.

THIS JOINT AGREEMENT OF CONSOLIDATION, made and entered into this thirteenth day of December, one thousand eight hundred and ninety-four, by and between the directors of the Malone and St. Lawrence Railway Company, of the first part, a railroad corporation organized under the laws of the state of New York, and operating a railroad wholly within said state, and the directors of the St. Lawrence and Adirondack Railway Company, of the second part, a railroad corporation organized under the laws of the Dominion of Canada, and operating a railroad wholly within the province of Quebec, Dominion of Canada—

Witnesseth :

WHEREAS, the railroad owned and operated by the first above named company within the state of New York, and the line or route of the railroad of the second above named company within the province of Quebec, Dominion of Canada, form a continuous and connected line of railroad with each other within the state of New York and the province of Quebec, Dominion of Canada, and the directors of each of said companies have proposed to merge and consolidate the capital stock, franchises and property of each of the said companies above named with the other under "The Railroad Law" of the state of New York, and the several Acts amendatory thereof, and under the laws of the Dominion of Canada, into a new or consolidated corporation, so that the said railroad lines or routes of road, when taken together, shall form a continuous and connected line of railroad with each other, running from Malone, in the county of Franklin, and state of New York, to a point at or near the village of Salaberry de Valleyfield, in the province of Quebec, and Dominion of Canada.

Now, therefore, the directors of each of the said companies above named do hereby enter into this joint agreement, under the respective corporate seals of each of the said companies for the purpose of effecting such consolidation, and do prescribe the following terms and conditions of such consolidation, which terms and conditions the said parties hereto mutually covenant, promise and agree to preserve, keep and perform, that is to say :

First.—The capital stock, franchises and property of each of the corporations above named are hereby merged and consolidated with the capital stock, franchises and property of each of the other corporations above named, into a new and consolidated corporation to be called and known by the corporate name of "The St. Lawrence and Adirondack Railway Company," which shall have and possess all and singular the rights,

franchises, grants, powers, exemptions, immunities, privileges, capacities, properties and rights of way, and all the property, real, personal and mixed, of every name and nature, which are or have been granted to or conferred upon or possessed or enjoyed by either of the companies above named, by and under the laws and enactments of the state of New York and by and under the laws and enactments of the Dominion of Canada.

Second.—The number of directors of said consolidated Company shall be nine, and the number of officers, four, viz., a president, a vice-president, a secretary and a treasurer.

Third.—The number of years that the said consolidated Company is to continue is five hundred.

Fourth.—The principal place of business of said consolidated Company shall be in the city of Montreal, Dominion of Canada.

Fifth.—The names and places of residence of the said nine directors, and of the other officers of said consolidated Company, who shall be the first directors and officers thereof, and shall manage its affairs for the first year and until others are chosen in their places, are as follows, to wit :

Directors.—William Seward Webb, New York ; Chauncey M. Depew, New York ; Edgar Van Etten, New York ; Martin F. McClary, Malone, N. Y. ; John Jacob Astor, New York ; Edward C. Smith, St. Albans, Vt. ; Frank G. Smith, New York ; Charles H. Burnett, New York ; Henry L. Sprague, New York.

Officers :—William Seward Webb, president, N. Y. ; Chauncey M. Depew, vice-president, New York ; Henry L. Sprague, secretary, New York ; Frank G. Smith, treasurer, New York.

Sixth.—The amount of capital stock of said consolidated Company shall be five hundred and ninety thousand dollars—(\$590,000), and shall consist of five thousand nine hundred shares of the par value of one hundred dollars each.

Seventh.—The capital stock of the Malone and St. Lawrence Railway Company, of two hundred and forty thousand dollars (\$240,000), shall be convertible into the capital stock of the said consolidated Company at the rate of one share of the capital stock of said consolidated Company for one share of the capital stock of the said Malone and St. Lawrence Railway Company.

Eighth.—The capital stock of the St. Lawrence and Adirondack Railway Company, of three hundred and fifty thousand dollars (\$350,000), shall be convertible into the capital stock of the said consolidated Company at the rate of one share of the capital stock of the said consolidated Company for one share of the capital stock of the said St. Lawrence and Adirondack Railway Company.

Ninth.—The capital stock of each of said railroad companies shall be convertible upon presentation and surrender of any outstanding certificates of stock in either of said companies ; and certificates of like amount of stock in said consolidated Company shall be issued to the holders thereof.

Tenth.—The first annual meeting of the stockholders of the said consolidated Company, for the purpose of electing directors of the said Company for the year then ensuing, shall be held at the offices of said Company in the city of Montreal, on the third Wednesday in April, eighteen hundred and ninety-six. Said directors shall be chosen by ballot at said meeting by a majority of the votes of the stockholders of said consolidated Company voting at such election in such manner as may be prescribed in the by-laws of the said new corporation, and they may and shall continue to be directors of said consolidated Company for one year from the date of their election, and until others are chosen in their places. Special meetings of the stockholders of said consolidated Company may be called at any time by the president of said corporation, by a majority of the board of directors, or as the by-laws of said consolidated Company may prescribe. Vacancies occurring in said board of directors may be filled at any time before the said first annual meeting of said consolidated Company, by a majority vote of the directors present at any regular or special meeting of the board of directors of said consolidated Company, and thereafter as the by-laws of said new corporation may prescribe.

The president, vice-president, secretary, and treasurer of said consolidated Company shall be chosen by a majority vote and by ballot by the board of directors, immediately succeeding the annual election of directors; and other officers may be chosen and appointed by the board of directors as they may deem advisable.

The directors of the said consolidated Company are hereby authorized to draft and adopt suitable by-laws for the use of said corporation, and to carry the within agreement of consolidation into effect by all necessary and proper acts for that purpose.

And the said parties of the first and second parts, for the consideration aforesaid, do mutually agree and declare that the said consolidation shall take effect immediately upon the due execution of the present articles and the consent thereto in the manner prescribed by law by the stockholders of the Malone and St. Lawrence Railway Company, by the stockholders of the St. Lawrence and Adirondack Railway Company, and on the approval of the Governor General in Council, as prescribed by the laws of the Dominion of Canada.

IN TESTIMONY WHEREOF, the parties hereto of the first and second parts have executed this joint agreement in duplicate, this thirteenth day of December, eighteen hundred and ninety-four.

DIRECTORS OF THE MALONE AND ST.
LAWRENCE RAILWAY COMPANY.

(Seal.)

FRANK G. SMITH,
MORGAN D. WILSON,
CHAS. R. WAGER,
JOHN K. TAYLOR,
D. B. BROWN,
HENRY L. SPRAGUE.

DIRECTORS OF THE ST. LAWRENCE AND
ADIRONDACK RAILWAY COMPANY.

(Seal.)

E. C. SMITH,
HENRY L. SPRAGUE,
MARTIN E. McCLARY,
GEO. H. PHILLIPS,
W. SEWARD WEBB.

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59 VICTORIA.

CHAP. 33.

An Act respecting the St. Lawrence and Ottawa Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the St. Lawrence and Ottawa Railway Company has by its petition represented that it is empowered by the Parliament of Canada to sell and convey free from encumbrance certain of its lands, and that it would be to its advantage and that of all persons interested in such lands that the proceeds of any sale thereof be applied as hereinafter mentioned, and it has prayed that it be authorized so to apply such proceeds; and whereas it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1867, c. 20.
1872, c. 67.
1876, c. 47.
1884, c. 76.

1. The net proceeds of any sale of any of the lands of the St. Lawrence and Ottawa Railway Company made in pursuance of the power already given by the Parliament of Canada, and with the consent of the Canadian Pacific Railway Company as lessees thereof, shall be set apart by the first named Company as a special fund, and shall be paid out only towards the substitution of iron bridges for wooden bridges, or towards such other permanent improvements, if any, of the roadbed or other railway properties of the said first named Company as are, from time to time, approved of in writing by the Minister of Railways and Canals or such other official as he appoints for that purpose.

Application
of proceeds of
sales of lands.

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59 VICTORIA.

CHAP. 34.

An Act to incorporate the Schomberg and Aurora Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS a petition has been presented praying for the incorporation of a company to construct and operate a railway as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

Preamble.

1. Lewis Elwood Hambly and Alfred Bosworth Armstrong, both of the city of Toronto in the county of York, and Benjamin Franklin Brown, Garret Brown, Jesse M. Walton, Joseph Hollingshead and John Pringle, of the township of King in the county of York and province of Ontario, together with such persons as become shareholders of the company hereby incorporated, are hereby constituted a body corporate under the name of "The Schomberg and Aurora Railway Company," hereinafter called "the Company."

Incorporation.

Corporate name.

2. The head office of the Company shall be in the city of Toronto in the county of York.

Head office.

3. The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches, from some point on the Northern Division of the Grand Trunk Railway of Canada between the stations known as King and Newmarket, to a point at or near the village of Schomberg in the county of York, passing through or near the village of Kettleby in the said county.

Line of railway described.

4. The undertaking hereby authorized is declared to be a work for the general advantage of Canada.

Declaratory.

5. The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of this Company.

Provisional directors.

- Vacancies.** 2. If any provisional director dies or resigns before the first general meeting of the Company, the vacancy may be filled by the remaining provisional directors.
- Capital stock.** 6. The capital stock of the Company shall be two hundred and fifty thousand dollars and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.
- Annual general meeting.** 7. The annual general meeting of the shareholders shall be held on the second Monday in September in each year.
- Directors.** 8. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose five persons to be directors of the Company, one or more of whom may be paid directors of the Company. -
- Issue of bonds.** 9. The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the railway; and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.
- Agreement with the G. T. R. Co.** 10. The Company may enter into an agreement with the Grand Trunk Railway Company of Canada for the carriage of passengers and freight over their line or any branch thereof and for the use or partial use of their lines, tracks and rolling stock within or without the said county of York, and for conveying or leasing to such company the railway of the Company hereby incorporated, in whole or in part, or any rights acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery, and other property to it belonging, or for an amalgamation with such company on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.
- Approval of shareholders and sanction of Governor in Council.**
- Notice of application for sanction.** 2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in the said county of York.
- Agreement to be filed and notice published.** 11. A duplicate of each agreement, conveyance or lease referred to in section ten of this Act, duly ratified and approved, shall be filed in the office of the Secretary of

State at Ottawa, and notice thereof shall be given by the Company in the *Canada Gazette*, and the production of the *Gazette* containing such notice shall be *prima facie* evidence of the requirements of this Act having been complied with.

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59 VICTORIA.

CHAP. 35.

An Act respecting the South Ontario Pacific Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the South Ontario Pacific Railway Company Preamble. has by its petition prayed that the time for completing its railway be extended, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The South Ontario Pacific Railway Company may complete its railway within five years and its bridge within seven years from the passing of this Act; otherwise the powers hereby granted shall cease and be null and void as respects so much of the undertaking as then remains uncompleted. Time for construction extended.

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59 VICTORIA.

CHAP. 36.

An Act to incorporate the South Shore Suburban Railway Company

[Assented to 23rd April, 1896.]

WHEREAS a petition has been presented praying for the Preamble.
incorporation of a company to construct and operate a railway and a bridge across the River St. Lawrence, as hereinafter set forth, with lines to connect the said railway and bridge with the railway systems on both sides of the said river, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. The Honourable Louis Tourville, Charles J. Chisholm, Robert Bickerdike, George Bury, G. N. Ducharme, E. P. Quirk, all of the city of Montreal, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of “The South Shore Suburban Railway Company,” hereinafter called “the Company.” Incorporation.
Corporate name.

2. The undertaking of the Company is hereby declared to be a work for the general advantage of Canada. Declaratory.

3. The head office of the Company shall be in the city of Montreal. Head office.

4. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from a point at or near Longueuil, in the county of Chambly, to a point in or near Laprairie, in the county of Laprairie. Line of railway described.

5. The Company may lay out, construct, operate and maintain a railway and general traffic bridge parallel to the Victoria Bridge, at no greater distance therefrom than two hundred feet, over the River St. Lawrence, from a point on the south shore at or near St. Lambert to a point on the north shore. Power to build a bridge over the River St. Lawrence.

shore, at or near the western end of the Montreal harbour work commonly known as the "Guard pier," together with the necessary approaches to connect with the Grand Trunk Railway, the Montreal Street Railway at or near St. Etienne Street, in the city of Montreal, and the Canadian Pacific Railway at or near Côte St. Antoine, and with one or more lines of railway not exceeding twenty miles in length, to connect the said bridge with existing or future lines of railway on the south shore of the River St. Lawrence.

Location of railway.

2. The location of the railway through the municipalities of St. Henri and Ste. Cunégonde shall be agreed upon between the Company and the said municipalities, subject to the approval of the Railway Committee of the Privy Council, and in default of any such agreement shall be determined by the Railway Committee of the Privy Council.

Tolls on bridge to be approved by Governor in Council.

6. If the Company constructs or arranges the said bridge for the use of foot passengers, street cars, carriages and other vehicles, as well as for railway purposes, then the tolls to be charged for the passage of such foot passengers, street cars, carriages and other vehicles shall, before being imposed, first be submitted to and approved of, and may be amended and modified from time to time by the Governor in Council; but the Company may at any time reduce the same; and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridge.

Plans to be submitted to Governor in Council.

7. The Company shall not commence the said bridge, or any work thereunto appertaining, until it has submitted to the Governor in Council plans of such bridge and of all the intended works thereunto appertaining, nor until such plans have been approved by the Governor in Council, and such conditions as he thinks fit for the public good to impose touching the said bridge and works have been complied with; nor shall any such plans be altered or any deviation therefrom allowed, except with the permission of the Governor in Council and upon such conditions as he imposes: Provided always that the portion of the said bridge which crosses the navigable parts of the River St. Lawrence shall be the same height above the low water level, as is the present Victoria Bridge, and that the span over the main channel shall not be less than three hundred and thirty feet in length.

Proviso.

Approval of Harbour Commissioners.

2. The Company shall also submit for the approval of the Harbour Commissioners of Montreal the plans of such portion of its undertaking as may be constructed upon the works under the jurisdiction of the said commissioners, the whole to be subject to such terms and conditions as are agreed upon.

No discrimination in rates of tolls.

8. So soon as the bridge is completed and ready for traffic, all railways and street railways connecting with the same, now constructed or hereafter to be constructed, and also the trains.

trains and cars of all companies whose lines connect with the line of any company, so connecting with the said bridge and approaches, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, so that no discrimination or preference in the passage of the said bridge and approaches, or in tariff rates for transportation, shall be made in favour of or against any railway or street railway whose trains, cars or business pass over the said bridge.

9. In case of any disagreement as to the rights of any company whose trains, cars or business pass over the bridge, or as to the tariff rates to be charged in respect thereto, the same shall be determined by the Railway Committee of the Privy Council, as provided in section eleven of *The Railway Act*.

In case of disagreement, railway committee to decide.

10. The persons mentioned by name in the first section of this Act are hereby constituted provisional directors of the Company.

Provisional directors.

11. The capital stock of the Company shall be one million dollars, and may be called up by the directors from time to time, as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

Capital stock.

12. The annual general meeting of the shareholders shall be held on the first Wednesday in September of each year.

Annual general meeting.

13. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares, shall choose not less than five and not more than nine persons to be directors of the Company, one or more of whom may be paid directors of the Company.

Election of directors.

14. The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of its railway and branches, and such bonds, debentures or other securities may be issued only in proportion to length of railway constructed or under contract to be constructed, and shall be designated as "Series A"; and in addition thereto, bonds, debentures or other securities to the extent of one million five hundred thousand dollars may be issued in aid of the construction of the bridge mentioned in this Act, and shall be designated as "Series B"; and all such bonds shall be secured by a deed of mortgage specifying the security therefor, and such deed may provide that all tolls and revenues derived from the use of the bridge and other works of the Company by other corporations or persons, shall, subject to the provisions of section ninety-four of *The Railway Act*, be specially charged and pledged as security for such bonds.

Amount of bonds, etc., limited.

Agreement
with another
company

15. The Company may enter into an agreement with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Atlantic and Lake Superior Railway Company, the Montreal Island Belt Line Railway Company, the Montreal Street Railway Company, the Montreal Park and Island Railway Company, the United Counties Railway Company, or the South Shore Railway Company, for conveying or leasing its railway or bridge to such company, in whole or in part, or any rights or powers acquired by it, as also the surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with either of such companies, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; Provided, that such agreement has been first sanctioned by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same,—at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy,—and that such agreement has also received the approval of the Governor in Council.

Sanction of
shareholders
and of the
Governor in
Council.

Notice of ap-
plication for
approval.

2. Such approval shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.

OTTAWA. Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



59 VICTORIA.

CHAP. 37.

An Act respecting the South-western Railway Company and the St. Lawrence and Adirondack Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the South-western Railway Company, incorporated by chapter fifty-two of the Statutes of 1888, and the St. Lawrence and Adirondack Railway Company, a corporation formed by the amalgamation and consolidation of another company, of the same name, with the Malone and St. Lawrence Railway Company, under an agreement for amalgamation and consolidation dated the thirteenth day of December, one thousand eight hundred and ninety-four, and duly confirmed by an Act passed by the Parliament of Canada at its present session, have by their petitions represented that they have entered into an agreement for amalgamation and consolidation, which has since the date thereof been duly sanctioned by the shareholders of the said companies and a true copy whereof is contained in the schedule to this Act, and have prayed for the passing of an Act authorizing, ratifying and confirming the said agreement and granting certain powers hereinafter mentioned; and whereas it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. The agreement of amalgamation and consolidation, dated the seventeenth day of December, one thousand eight hundred and ninety-five, between the St. Lawrence and Adirondack Railway Company and the South-western Railway Company, a true copy whereof is contained in the schedule to this Act, is hereby authorized, ratified and confirmed, and shall be taken and read as a part of this Act, and the amalgamation and consolidation thereby agreed to is hereby declared to take effect on and from the first day of May, one thousand eight hundred and ninety-six.

Agreement confirmed.

Incorporation
of amalgamat-
ed company.

Corporate
name.

2. From the date last above mentioned the said amalgamated companies, and the shareholders thereof, shall be deemed to have been and to be a body corporate and politic, under the name of "The St. Lawrence and Adirondack Railway Company," hereinafter called "the Company," and from that date the Company shall be deemed to have been and to be vested with and to have possessed and to possess all the rights, franchises, powers, privileges, property, leases, leaseholds, and other assets of the said amalgamating companies and each of them.

Existing
rights saved.

3. Nothing in this Act or in the said agreement of amalgamation shall be held to relieve either of the said companies from any contract or liability entered into or incurred before the said last mentioned date; but the Company hereby incorporated shall be liable for all debts, duties and obligations of each of the companies so amalgamated; and no proceedings of any nature, either by or against the said companies so amalgamated or either of them, shall be abated or discontinued by reason of the said amalgamation or consolidation or of this Act, but they shall be continued to their termination as if the said amalgamation or consolidation had not been effected.

Head office.

4. The head office of the Company shall be in the city of Montreal; and, notwithstanding anything in the schedule to this Act contained, the annual general meeting of the shareholders shall be held on the first Wednesday in September of each year.

Declaratory.

5. All the lines and branch lines of railway constructed or authorized to be constructed in Canada, under the Acts of the Parliament of Canada relating to either of the said companies, are hereby declared to be works for the general advantage of Canada.

Issue of bonds
limited.

6. In lieu of the provisions relating to the issue of bonds contained in any of the Acts respecting either of said amalgamating companies, the Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of the railway and branches of the Company; and such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed or under contract to be constructed; provided that, until the withdrawal or payment and cancellation of the bonds, debentures or other securities of either of the amalgamating companies issued before this Act comes into force, the authority contained in this section to issue bonds, debentures or other securities shall only be exercised to the extent of the difference in amount between the said bonds, debentures or other securities so issued as aforesaid and outstanding and the said thirty thousand dollars per mile of the railway and branches of the Company.

Proviso.

7. The Company may purchase the whole or any part of the railway and its appurtenances of any other company in Canada which has then been empowered, either in general terms or by special enactment, by the Parliament of Canada to sell the same to the Company, or to either of the said amalgamating companies, and for such price and upon such terms and conditions as are from time to time agreed upon by the boards of directors of the respective contracting companies; and any conveyance made in pursuance of this enactment shall be as valid and effectual as if it had been set out and specially authorized and confirmed by this Act.

Power to purchase other railways.

Validity of deed.

8. The Company may enter into working arrangements with, or may enter into a lease of or acquire running powers over, or the right to work the line of, any other company in Canada which has been empowered by the Parliament of Canada to make or grant the same to or with the Company, or either of the said amalgamating companies, and upon such terms and conditions and for such period as are from time to time agreed upon by the board of directors of the respective contracting companies.

Working arrangements with other companies.

9. The Company may make working arrangements with, or may lease or acquire running powers over, or the right to work the line of, any railway company outside of Canada upon such terms and conditions as the Company's board of directors considers advantageous.

Arrangements with companies out of Canada.

10. Every such purchase or other transaction authorized by any one of the next three preceding sections shall be subject to the approval of two-thirds of the shareholders of the Company present or represented at a special general meeting duly called for that purpose; and after any such purchase or other transaction, the Company may acquire and hold bonds, shares and other securities of such other company.

Approval of shareholders.

11. The Company may enter into an agreement with any other company in Canada which has then been empowered, either in general terms or by special enactment, by the Parliament of Canada to purchase or lease the same, for conveying or leasing to such company the railway of the Company, in whole or in part, or any of its rights or powers, as also the surveys, plans, works, plant, material, machinery, and other property belonging to it, or for an amalgamation with such company on such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such

Agreement with other companies.

Proviso: approval of shareholders.

And sanction
of Governor
in Council.

Notice of ap-
plication for
sanction.

agreement has also received the sanction of the Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs and in which a newspaper is published.

Time for con-
struction
limited.

12. The time for the completion by the Company, or by the South-western Railway Company, of the lines of railway authorized to be constructed, by the Acts relating to the latter company, is hereby extended for five years from the passing of this Act; and if the said lines of railway are not then completed, the powers granted for such construction by the said Acts and this Act shall be null and void as respects so much of the said lines of railway as then remains uncompleted.

1888, c. 29.

13. *The Railway Act* shall apply to the Company.

When Act
shall come
into force.

14. This Act shall come into force on the first day of May, one thousand eight hundred and ninety-six, if it receives the assent of the Governor General on or before that date, and if not, then upon the first day of the month next after the date of such assent.

SCHEDULE.

This agreement made the 17th day of December, 1895, between the St. Lawrence and Adirondack Railway Company, party of the first part, hereinafter called "The St. Lawrence Company," being a company formed by the amalgamation and consolidation of another company of the same name, with the Malone and St. Lawrence Railway Company, under an agreement for amalgamation and consolidation dated 13th December, 1894, which amalgamation and consolidation of said two companies was authorized by an Act of the Parliament of Canada, passed in the 57th-58th year of Her Majesty's reign, chaptered ninety-three, and the South-western Railway Company, party of the second part, a corporation incorporated by an Act of the Parliament of Canada, passed in the 51st year of Her Majesty's reign, chaptered fifty-two, hereinafter called "The South-western Company."

Whereas the said two companies propose to amalgamate and to unite together as one company, and the directors of one company have agreed with the directors of the other company upon the terms of such amalgamation and other matters relating thereto and it is desirable to embody the same in this agreement, but subject to ratification by the shareholders of the respective companies and to the approval of Parliament.

And whereas the St. Lawrence Company has entered into an indenture of lease and agreement with the Grand Trunk Railway Company of Canada, dated 1st January, 1896, for a lease of the line of said latter company, extending from the village of Valleyfield to the village of Beauharnois, in the province of Quebec, a distance of about 13 miles, subject to ratification and approval by the shareholders of the St. Lawrence Company and ratification and confirmation by Parliament, it being the intention of the parties to this agreement, when united into one company and when said lease shall have been approved by Parliament, to operate said leased line as part of the railway system of said united company.

Now this indenture witnesseth and the parties of the first and second parts respectively do mutually covenant and agree to and with each other in manner following :—

1. The said two railway companies do hereby agree to amalgamate and to unite together, and that they shall become and be one company, to be styled and known as the St. Lawrence and Adirondack Railway Company, such united company being hereinafter called and referred to as “the united Company.”

2. The capital stock of the united Company shall be equal to the present combined capital stock of the two companies, that is to say, one million and ninety thousand dollars, and the several shareholders of the St. Lawrence Company and of the South-western Company shall be entitled in lieu of the shares held by them respectively in these companies or either of them to receive shares in the united Company to the like amount ; and the shares to which each shareholder shall be entitled in the united Company shall be fully paid-up shares or partly paid-up shares according as the shares held by such shareholder in the St. Lawrence Company or in the South-western Company were fully or partly paid up, and if partly paid up then to the same extent as his shares in the original company were paid up.

3. The board of directors of the united Company shall consist of nine members together with any *ex-officio* directors under the provisions of *The Railway Act* of Canada, and the qualification for directors shall be the same as provided in said *Railway Act*.

4. The head office of the united Company shall be at the city of Montreal, in the province of Quebec, and its annual general meeting shall be held on the first Wednesday in May in each year.

5. The first board of directors of the united Company shall be William Seward Webb, Chauncey M. Depew, Edgar Van Etten, Martin E. McClary, John Jacob Astor, Edward G. Smith, Reuben W. Leonard, Charles H. Burnett, and Henry L. Sprague, who shall hold office until the first annual general meeting of shareholders of the united Company. The first officers of the united Company shall be William Seward Webb,

president; Chauncey M. Depew, vice-president; and Frank G. Smith, secretary and treasurer, who shall hold office until others are appointed after the first election of directors of the united Company.

6. The united Company shall be invested with and have all the franchises, rights, powers and property and be responsible for all the liabilities of the said respective companies, and any right or claim which could be enforced by or against either of them may on and after the date of such union be enforced by or against the united Company; and any suit, action, or proceeding pending at the date of such union by or against either of the companies may be continued and completed by or against the united Company: Provided always that the rights of any person or corporation having any special lien, charge or privileged claim upon the lands and buildings, tolls, revenues or other property real or personal of either of such companies or upon any part thereof shall not be impaired by such union.

7. All the privileges, powers, rights and franchises possessed or enjoyed by either of the said companies under their respective Acts of incorporation and amendments in force at the date of such union shall be continued to and possessed by the United Company which may use or exercise the same as fully as the company which immediately before the date of such union possessed or enjoyed the same except as in this agreement expressly varied or herein otherwise expressly provided; but generally except as aforesaid the united Company shall continue to be carried on and managed and all by-laws, rules and regulations of the South-western Company in use when this agreement takes effect shall have effect and shall until changed or altered by the united Company be binding on all the officers, agents, servants and employees of the united Company and all others affected thereby as if the united Company were the same company as the South-western Company and as if the whole undertaking of the united Company had been originally the undertaking of the South-western Company; and in case of any conflict between the provisions of the Acts relating to the South-western Company and of the Acts relating to the St. Lawrence Company, the Acts relating to the St. Lawrence Company shall prevail and be applicable to the whole property of the united Company, but where there is no conflict the whole of the said enactments shall apply cumulatively.

8. The united Company shall succeed to all the rights, franchises, powers, property and privileges of the St. Lawrence Company under the said lease and agreement between the said Company and the Grand Trunk Railway of Canada for the lease of the line of the Grand Trunk Railway Company extending between the village of Valleyfield and the village of Beauharnois, in the province of Quebec, a distance of about thirteen miles, and subject to all the duties and obligations contained in said agreement.

9. This agreement is made subject to the same being sanctioned by the necessary number and proportion of the shareholders of the St. Lawrence Company in accordance with the Acts relating to that company, and to the same being approved by the necessary number and proportion of the shareholders of the South-western Company in accordance with the Acts relating to that company.

In case of such approval by the shareholders of the respective companies, the two companies agree to assist by all lawful means in obtaining an Act of the Parliament of the Dominion of Canada confirming and approving of this agreement, and declaring the railway and undertaking of the united Company to be a work for the general advantage of Canada.

In witness whereof the respective companies have hereunto set their corporate seals under the hands of the president or vice-president and secretary of each company.

THE ST. LAWRENCE AND ADIRONDACK RAILWAY COMPANY.

W. SEWARD WEBB, *President.*
FRANK G. SMITH, *Secretary.*

Corporate Seal.]

THE SOUTH-WESTERN RAILWAY COMPANY.

CHAUNCEY M. DEPEW, *Vice-president.*
FRANK G. SMITH, *Secretary.*

[Corporate Seal.]

Signed, sealed and delivered }
in the presence of

CHARLES H. BURNETT.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



59 VICTORIA.

CHAP. 38.

An Act respecting the Thousand Islands Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Thousand Islands Railway Company has by Preamble. its petition prayed that an Act be passed conferring on the Company certain additional powers hereinafter set forth, and it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. The Company may extend its main line or branches from a point at or near the town of Gananoque to a point at or near the village of Rockport, east of Gananoque, and to a point at or near Pitt's Ferry, west of Gananoque; and all the powers and privileges conferred by this and former Acts with respect to the said main line or branches are hereby conferred upon the Company with respect to the branch lines hereby authorized, and all the provisions of the several Acts relating to the issue of bonds on the security of the railway shall apply to such branch lines as fully and amply as they apply to the main line; and any agreements made between the Company and any municipality into or through which the said lines or branches run, are hereby, so far as it is within the legislative authority of the Parliament of Canada to do so, confirmed and declared to be binding on the several parties thereto according to the terms thereof.

Extensions to Rockport and Pitt's Ferry.
Ont. 34 V., c. 46, and 47 V., c. 67; Can. 51 V., c. 75.

2. The time for the completion of the railway and branches of the Company is hereby extended for a period of five years from the passing of this Act; and if the railway and branches and the extensions authorized by this Act are not then completed, the powers relative to such construction shall cease and be null and void as respects so much of the undertaking as then remains uncompleted.

Time for construction extended.



59 VICTORIA.

CHAP. 39.

An Act respecting the Toronto, Hamilton and Buffalo Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Toronto, Hamilton and Buffalo Railway Company has by its petition prayed that an Act be passed to make further provisions in relation to the Company as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Section ten of chapter sixty-six of the Statutes of 1895, being an Act relating to the Toronto, Hamilton and Buffalo Railway Company, hereinafter called "the Company," is hereby amended by adding after the word "discharged" and before the word "all" in the third line thereof the following words:—

Money to pay debts may be deposited in a bank.

"Or have deposited with the Bank of Hamilton, at Hamilton, the sum of at least eighty-five thousand dollars to be held by the said bank in trust to pay and discharge."

1895, c. 66, s. 10 amended.

2. Upon the deposit of the said sum of eighty-five thousand dollars with the Bank of Hamilton aforesaid, and the acceptance thereof by the said bank, the Bank of Hamilton shall become and is hereby declared to be trustees of the said sum, for the payment of the assignee of Bracey Brothers and Company, and the creditors of Bracey Brothers and Company and others of their respective claims mentioned and set forth in sections ten and eleven of the said Act relating to the said railway Company, and upon the terms and conditions in the said sections ten and eleven respectively set forth; provided that as soon as the said deposit is made, the said bank shall pay thereout to the respective parties (or their transferees) whose claims have been admitted in whole or in part by the Company, the respective amounts to which they appear entitled, in whole or in part, according to the list of admitted claims delivered to the cashier of said bank by the Company on the twentieth day of March, one thousand eight hundred and

Bank to be trustees and to pay certain debts.

ninety-six, amounting in all to the sum of fifty-seven thousand three hundred and sixty-four dollars and eighty-four cents, and it is hereby declared that upon the said deposit being made with the Bank of Hamilton aforesaid, and the cashier of the said bank having certified that the said deposit has been so made, the Minister of Railways and Canals shall declare the said Act in full force and effect.

County court judge may arbitrate as to disputed claims.

3. It is further enacted and declared that as to the creditors of Bracey Brothers and Company, and others referred to in the said sections ten and eleven of the said Act, whose claims have been filed with the said railway Company prior to the first day of February, one thousand eight hundred and ninety-six, and are disputed or not allowed, or which the Company submit are not within the provisions of the said Act, the county judge of the county of Wentworth, who shall be paid the sum of two hundred dollars out of the said moneys for his services in the premises, upon notice to the Company of the proceedings in each case, shall have the power in all cases in which the said creditors or any of them assent thereto, to hear and determine in a summary manner, as an arbitrator, whether or not the claims of such creditors so assenting are valid and just claims, in whole or in part, of the nature and class referred to in the said sections ten and eleven of the said Act, and are such, either in whole or in part, as the Company is directed to pay under the provisions of the said Act, with power to the said judge to compel the attendance of witnesses and to take evidence upon oath and to compel the production of books and papers; and the award or certificate in that behalf of the said county judge shall be final and conclusive, and there shall be no appeal therefrom; and the amount which the said judge so finds to be a just claim and payable by the Company under the provisions of the said Act, shall be paid by the said Bank of Hamilton upon the certificate of the said county judge, stating the amount of the liability, of the nature and class aforesaid, payable to any such creditor, and that it has been determined by him; provided that no *bona fide* claim filed before the first day of February, one thousand eight hundred and ninety-six, shall be disallowed or held not to be within the provisions of sections ten and eleven of the said Act, by reason of any defect in the manner of verifying it as required by the said Act.

Notice to Company.

Award to be final.

Certain claims not to be excluded.

Limit of time for submitting disputed claims for adjudication.

4. Should any of the creditors whose claims are disputed or not allowed by the Company fail to submit their respective claims for adjudication, under the provisions contained in section three of this Act, within three months from the making of the said deposit, or omit within that time to commence other legal proceedings to determine the validity of their respective claims, within the provisions of sections ten and eleven of the said chapter sixty-six of the Statutes of 1895 (of all which the Company shall be given notice), they shall not be

entitled to payment by the Bank of Hamilton, out of the fund herein provided to be deposited with the said bank; and at the expiration of one year from the date of the making of the said deposit, all the money remaining in the hands of the said bank of the sum so deposited and not paid under the provisions of this Act, shall be repaid to the Company by the said bank, except such portion thereof as is necessary to provide for the payment of claims which are then in process of adjudication, either by a reference to the said county judge or by other legal process, and in the prosecution of which due diligence has been used.

5. Any claim admitted in part shall, as to such admitted part, be paid by the said bank without prejudice to the holder of such claim proceeding for the balance thereof in the manner aforesaid.

As to claims admitted in part.

6. Upon the delivery to the Bank of Hamilton of the debentures of the city of Hamilton granted under their by-law No. 755, and on the Bank of Hamilton agreeing to accept the same as purchasers thereof from the said railway Company,—the city corporation first receiving so much of the proceeds thereof from the said purchasers as the corporation deems proper to hold as security for all expenses payable by the Company to the said corporation under the terms of the said by-law and for claims against the Company for compensation for damage to real property taken or injuriously affected by the exercise within the city of Hamilton of any of the powers granted for the railway or for claims against the said corporation for compensation, damages or costs by reason or on account of the construction of the railway within the said city, the corporation having the right to pay any of such claims and costs when agreed upon or legally ascertained and to use so much of the said proceeds as may be necessary for that purpose, accounting to the said railway Company for the whole amount of the said security,—the said bank shall hold and apply the sum of eighty-five thousand dollars, portion of the said purchase money, as the deposit provided for by this Act, and, subject thereto, repay and retain to themselves their advance of seventy-five thousand dollars on the purchase of the said debentures, and account to the said railway Company for the balance of the said purchase money.

Disposal of debentures deposited with Bank of Hamilton.



59 VICTORIA.

CHAP. 40.

An Act respecting the Winnipeg Great Northern Railway Company.

[Assented to 23rd April, 1896.]

WHEREAS the Winnipeg Great Northern Railway Com- Preamble.
pany has by its petition prayed that an Act be passed extending the time for the completion of that portion of the main line of its railway between Winnipeg and the Saskatchewan River and authorizing the Company to build a branch line from Portage la Prairie or some other point on the Manitoba and North-western Railway in the province of Manitoba to connect with the said main line, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The section substituted by section one of chapter ninety-four of the Statutes of 1894 for section thirty-three of chapter eighty-one of the Statutes of 1887, is hereby repealed and the following substituted therefor:— Substituted section 33 of c. 81 of 1887 repealed.

“**33.** That portion of the main line of the Company’s railway reaching to the Saskatchewan River shall be completed by the thirty-first day of December, one thousand eight hundred and ninety-eight, otherwise the powers granted with respect to such construction shall be null and void as respects so much of the railway as then remains uncompleted.” Time for construction extended.

2. The Company may build a branch line from a point at or near Portage la Prairie, to some point in township thirteen, range seven, west of the principal meridian; provided that the powers granted by this section shall not go into effect if the Manitoba and North-western Railway Company gives this Company reasonable and proper running arrangements for its trains and traffic between Gladstone and Portage la Prairie; and, in the event of there being a disagreement between the said companies as to what are reasonable and proper arrangements, the question in dispute and the price, terms and details of such arrangement and the agreement to be entered into Branch line.

between the parties shall be settled by the Governor in Council upon the application of either party, and his determination thereon shall be final and binding upon both companies.

Time for construction.

3. The work on the branch hereby authorized shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers granted for such branch shall cease and be null and void as respects so much of the branch as then remains uncompleted.

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59 VICTORIA.

CHAP. 41.

An Act to incorporate the Yukon and British Columbia Trading and Development Company of Canada, Limited.

[Assented to 23rd April, 1896.]

WHEREAS the persons hereinafter named have, by their petition, prayed for the incorporation of themselves and others as a company for the purpose of carrying on the business hereinafter mentioned, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Charles N. Hill, of London, England; Benjamin Green, of Kootenay, British Columbia; Henry J. Munn, of Brandon, Manitoba; J. A. Gemmill and A. F. May, both of the city of Ottawa, together with such persons as hereafter become members and shareholders in the Company hereby incorporated, are hereby constituted a body corporate under the name of "The Yukon and British Columbia Trading and Development Company, Limited," hereinafter called "the Company."

2. The Company may carry on throughout the Dominion of Canada and elsewhere the business of lumberers, and all other business incident thereto or connected therewith, including the manufacture of any articles of which wood forms a component part, and also other products made from wood, and also the business of wharfingers, carriers, forwarders, shippers and vessel owners; and may for all or any of the said purposes, purchase, hold, lease or otherwise acquire any timber limits, licenses to cut timber, lands, buildings, docks, works, boats, vessels, vehicles, goods, wares or merchandise, and other property, real and personal, movable and immovable; and improve, extend, manage, develop, lease, mortgage, exchange, sell, dispose of, turn to account or otherwise deal in and with the same; and may establish shops or stores on the said lands; and may purchase and vend general merchandise, the product of mines, and real estate, and carry on farming and stock-raising;

ing ; and generally do all such other things as are incidental or conducive to the attainment of the above objects :

Mining
powers.

2. The Company may purchase, or otherwise acquire and work, mines, mineral and mining rights, and lands, in the Dominion of Canada, and may crush, smelt, reduce, amalgamate the ore to render marketable the produce, and may develop the resources of such mines, and may crush, smelt, reduce and amalgamate the produce of any mines whether belonging to the Company or not :

Construction
of works, etc.

3. The Company may also construct, or aid in and subscribe towards the construction, maintenance and improvement of roads, tramways, docks, piers, wharfs, viaducts, aqueducts, flumes, ditches, quartz mills, mills, ore houses and other buildings and works which are necessary or convenient for the purposes of the said Company :

Vessels.

4. The Company may also construct, charter and employ vessels for the purposes aforesaid, and for the purpose of transporting the produce of the mills, mines and works to any place or places within Canada or elsewhere :

Electrical
works.

5. The Company may also, for the purposes of the said business, erect, use and manage works, machinery and plant for the generation, transmission and distribution of electric power and energy :

Patents.

6. The Company may also acquire by lease, purchase or otherwise any exclusive rights in letters patent, franchises or patent rights for the purposes of the works and undertakings hereby authorized, and again dispose of such rights :

Acquisition of
other under-
takings.

7. The Company may purchase, take over, or otherwise acquire from any other person or company, all or any of the businesses which the Company is hereby empowered to carry on, together with all or any of the assets, franchises and property, real and personal, movable and immovable, of the seller or sellers thereof, subject to the obligations, if any, affecting the same, and may pay the seller or sellers the price thereof wholly or partly in cash or wholly or partly in fully paid-up shares or in partly paid-up shares of the Company, or otherwise, and also undertake, assume, pay or guarantee all or any of the obligations or liabilities of the seller or the obligations affecting the assets and property purchased from time to time.

Head office.

3. The head office of the Company shall be in the city of Ottawa or at such other place in the Dominion of Canada as the Company from time to time by by-law appoints.

Capital stock,
shares and
calls.

4. The capital stock of the Company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent of the shares subscribed.

5. The persons mentioned by name in the first section of this Act are hereby constituted the first or provisional directors of the Company, and shall hold office as such until replaced by others duly appointed in their stead, and shall have and possess all the powers which are conferred upon directors by *The Companies Clauses Act* and this Act; and until otherwise ordered by by-law or resolution of the provisional directors, any three of them may call meetings of the provisional directors to be held at the head office of the Company at such times as they determine, provided that notice in writing, signed by any three of the provisional directors calling any such meeting, of the date and place of holding the same, shall be mailed by registered letter to the address of each of the other provisional directors not less than thirty days previous to the date of such meeting. A majority of the provisional directors shall form a quorum.

Provisional directors.

Meetings.

Notice.

Quorum.

6. At any time after the passing of this Act the provisional directors, or any three of them, may call a general meeting of the shareholders of the Company to be held at the city of Ottawa at such time as they determine, for the purpose of passing or ratifying the by-laws of the Company, of electing directors, and of considering and determining upon any other business specified in the notice calling such meeting; and a notice in writing, signed by any three of the provisional directors calling any such meeting, of the date and place of holding the same, mailed by registered letter to the address of each shareholder not less than thirty days previously, shall be deemed sufficient notice of such meeting.

General meeting to organize.

Notice.

7. The annual meeting of the shareholders shall be held on the first Tuesday in the month of November in each year at the head office of the Company.

Annual meeting.

8. The Company may make, accept, endorse or execute cheques, promissory notes, bills of exchange, warehouse receipts, bills of lading and other negotiable instruments: Provided, however, that nothing in this section shall be construed to authorize the Company to issue any note or bill payable to bearer, or intended to be circulated as money or as the note or bill of a bank.

Negotiable instruments.

Proviso.

9. The directors of the Company under the authority of a resolution of the shareholders, passed at the first general meeting of the shareholders, or at any special meeting called for the purpose, or at any annual meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present, or are represented by proxy, may from time to time, at their discretion, borrow moneys for the purposes of the Company and secure the repayment of any of the moneys so borrowed, in such manner and upon such terms and conditions as they see fit, and

Borrowing powers.

in particular by mortgage, pledge, hypothecation or charge of or on all or any of the assets and property of the Company.

Issue of
debentures.

10. The directors of the Company, under the authority of the shareholders given at any general meeting called for the purpose,—at which meeting shareholders representing at least two-thirds in value of the issued capital stock of the Company, which shall not be less than one hundred thousand dollars, are present in person or represented by proxy,—may, from time to time, create and issue debentures, bearing such rate of interest as is agreed upon, for sums not less than one hundred dollars each, signed by the president or other presiding officer, under the seal of the Company, and countersigned by the secretary, and payable to bearer or order; and the directors may deliver the said debentures for any of the purposes set forth in section two of this Act; and the directors may sell or pledge the said debentures for the purpose of borrowing money or of paying or securing the indebtedness of the Company: Provided that the total amount of debentures at any time outstanding shall not exceed the amount of the paid-up stock of the Company; and the said debentures and interest thereon, if intended to be secured, may be secured by mortgage upon such of the property and assets of the Company as are described in the mortgage deed; and such mortgage deed may give to the holders of the said debentures, or the trustee or trustees for such holders named in such mortgage deed, such powers, powers of sale, rights and remedies as are specified in such mortgage deed.

Limitation of
amount.

Security for
debentures.

R.S.C., c.
118, s. 18.

11. Section eighteen of *The Companies Clauses Act* shall not apply to the Company, but the Company shall not commence doing any business under this Act until at least ten per cent of the capital stock has been paid up.

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most Excellent Majesty.



59 VICTORIA.

CHAP. 42.

An Act respecting the Canada and Michigan Bridge and Tunnel Company.

[Assented to 23rd April, 1896.]

WHEREAS the Canada and Michigan Bridge and Tunnel Preamble.
Company has petitioned for an Act empowering it to
construct a high-level bridge across the Detroit River, and it is
expedient to grant the prayer of the said petition: Therefore
Her Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, declares and enacts as
follows:—

1. Section nine of chapter seventy-one of the Statutes of 1895, c. 71,
1895, respecting the Canada and Michigan Tunnel Company, s. 9 repealed.
is hereby repealed, and the following section substituted
therefor:—

“1. The said bridge shall be constructed so as not to Bridge not to
interfere with
navigation.
materially obstruct the navigation of the Detroit River, and
shall have a draw or draws across the main channel of the
river, leaving a clear waterway between the piers on which
the draws will rest of not less than one thousand feet, and the
intervals between the other piers shall be not less than five
hundred feet, and the height of the arches and of the bridge
above the river shall be not less than forty-five feet in the
clear; and the said draws shall at all times during the season
of navigation be kept open, except when actually required to
be closed for the passage of railway trains; or, at the option
of the Company, the said bridge shall be constructed as a high-
level bridge without a draw, in which case the intervals be-
tween the piers on which the bridge will rest shall be not less
than one thousand feet across the main channel of the river,
and the intervals between the other piers shall be not less than
five hundred feet, and the height of the arches and of the
bridge above the river shall be at least one hundred and forty
feet in the clear. May be a
high-level
bridge.

“2. From sundown until sunrise, during the season of Lights on
bridge.
navigation, suitable lights shall be maintained by the Company
upon the said bridge, to guide rafts or vessels approaching the
bridge from either direction.”

Use of bridge
by other com-
panies.

2. All railway companies shall have the same rights as to the bridge and its approaches if constructed on a high level as they would as to the tunnel or a bridge on a low level.

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59 VICTORIA.

CHAP. 43.

An Act to incorporate the Queenston Heights Bridge Company.

[Assented to 23rd April, 1896.]

WHEREAS certain persons hereinafter named have petitioned Preamble.
for power to construct, maintain and operate a bridge across the Niagara River as hereinafter set forth, and for the incorporation of a company to construct and operate the same and for other purposes, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. George Gooderham of the city of Toronto, Thomas Gibbs Incorporation.
Blackstock of the same place, Alexander Fraser of the town of Niagara Falls, in the province of Ontario, William B. Rankine of the city of New York, in the state of New York, and W. Caryl Ely of the city of Niagara Falls, in the state of New York, together with such persons as become shareholders in the Company hereby incorporated, are hereby constituted a body corporate under the name of "The Queenston Heights Corporate name.
Bridge Company," hereinafter called "the Company."

2. *The Railway Act* and the Acts amending it, in so far as 1888, c. 29.
applicable, shall apply to the Company and its undertaking.

3. The Company hereby incorporated may construct, main- Powers to construct bridge.
tain and operate a bridge across the Niagara River at or near Queenston Heights in the county of Lincoln, for the passage of pedestrians and vehicles and for the passage of cars propelled by electrical or any power other than locomotive steam power; but the Company shall not commence the actual erection of the Approval of U. S. or of New York State.
said bridge until an Act of the Congress of the United States, or an Act of the Legislature of the state of New York, has been passed authorizing or approving the bridging of the said river as aforesaid, nor until the Executive of the United States has consented to and approved such bridging, but the Company may in the meantime acquire the lands, submit their plans

plans to the Governor in Council and do all other things authorized by this Act, except the commencement of the actual construction or erection of the bridge.

Laying tracks on bridge.

Agreement for operating.

Amalgamation with other company.

Laying gas pipes, wires, cables, etc.

Rate of tolls.

Proviso.

Tariff to be posted.

Approval of Governor in Council.

4. The Company may lay tracks upon the said bridge and the approaches thereto for the passage of the said cars, and may operate the same or enter into any contract or agreement with any corporation or corporations with reference to operating the same, and may connect the same with any line or lines of railway other than a railway operated by locomotive steam power, and may amalgamate with any other company incorporated or to be incorporated by the Legislature of the state of New York, or the Congress of the United States, for the same purpose.

5. The Company may also lay and maintain along, upon or under the said bridge gas pipes and also wires, cables or other appliances for the transmission of electricity or other motive power, and may enter into contracts with any company for the operation or use of the same.

6. When the said bridge has been completed and its safety been certified to by such engineer as the Governor in Council appoints, the said corporation may erect a gate or gates and determine and establish the rate of tolls to be demanded for going upon or crossing the said bridge; provided always that the tolls to be charged and which may be collected and taken for the passage of such foot passengers, carriages and other vehicles shall, before being imposed, be first submitted to and approved and may be amended and modified from time to time by the Governor in Council, but the Company may at any time reduce the same; and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridge, and the charges, rates and payments to be made for the passage or transmission of street cars, trams, electric cars, or for railway purposes generally, shall, subject to the provisions contained in sections two hundred and twenty-four, two hundred and twenty-seven and two hundred and twenty-eight of *The Railway Act*, be such as are from time to time made and agreed upon by and between the Company and the companies desirous of using the said bridge.

7. The Company shall not commence the construction of such bridge, or any work thereunto appertaining, until it has submitted to the Governor in Council, plans of such bridge and of all intended works thereunto appertaining, nor until such plans and the site of such bridge have been approved by the Governor in Council and such conditions as he thinks fit for the public good to impose touching the said bridge and works have been complied with; nor shall any such plan be

altered or any deviation therefrom be allowed, except by permission of the Governor in Council, and upon such conditions as he imposes.

8. The Company may, after obtaining the sanction of the Governor in Council in the manner provided in section two hundred and thirty-nine of *The Railway Act*, and subject to the provisions contained in sections eleven and twelve of this Act,—

(a.) unite with any other company incorporated in and under the laws of the state of New York or of the United States, in building the bridge and its approaches, and in working, managing, maintaining and using the same, and may enter into any agreement with such company respecting the construction, maintenance, management and use of the said bridge and its appurtenances ;

(b.) unite with any other company incorporated under the laws of Canada or of the province of Ontario, or with any body corporate, in building the said bridge and approaches and in maintaining, working, managing and using the same, and may enter into any agreement with such company or corporation respecting the construction, maintenance, management and use thereof ;

(c.) enter into any agreement with any other bridge or railway company or companies in Canada or in the United States, other than a railway company operating by locomotive steam power, for leasing the said bridge or the use thereof at any time or times or for any period to such company or companies, or for leasing or hiring from such company or companies any bridge or railway or part thereof not operated by locomotive steam power, or the use thereof, or for leasing or hiring motors, cars or movable property and generally make any agreement with any such company or companies touching the use by one or the other or others of the bridge or railway or movable property of either or any of them or any part thereof or touching any services to be rendered by the one company to the other or others and the compensation therefor ; and any such bridge or railway or railroad company or companies may agree for the loan of its credit to or may subscribe to and become the owner of the stock of the Company hereby created, in like manner and with like rights as individuals ; and any such agreement shall be valid and binding, and shall be enforced by courts of law according to the terms and tenor thereof ; and any company accepting and executing such lease shall be and is hereby empowered to exercise all the rights and privileges by this Act conferred ; but none of the above powers shall be exercised without the approval of the Governor in Council.

9. The provisional directors may purchase the bridge now owned and operated by the Clifton Suspension Bridge Company

pany and may remove and re-erect the same, or may contract to have the same removed and re-erected under the provisions of this Act, and may pay therefor in fully paid-up stock or in bonds of the Company, or partly in stock and partly in bonds, as they deem most advantageous and conducive to the furtherance of the undertaking.

Sale or lease of bridge.

10. The Company may enter into an agreement with any tramway or electric railway company for conveying or leasing the said bridge and its approaches to such company, in whole or in part, or any rights or powers acquired by it, as also the franchises, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with such company on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and sanction of Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in a newspaper published in the county of Lincoln.

No discrimination in tolls, etc.

11. So soon as the bridge is completed and ready for traffic, all railways, other than those operated by locomotive steam power either in Canada or the United States, now constructed or hereafter to be constructed, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, so that no discrimination or preference in the passage of the said bridge and approaches, or in traffic rates of transportation, shall be made in favour of or against any such railway whose business or cars pass over the said bridge.

In case of disagreement.

12. In case of any disagreement as to the rights of any tramway or electric railway whose trains, cars or business pass over the said bridge, or as to the tariff rates to be charged in respect thereto, the same shall be determined by the Railway Committee of the Privy Council as provided in *The Railway Act*.

Provisional directors.

13. The persons named in the first section of this Act are hereby constituted provisional directors of the Company.

Capital stock.

14. The capital stock of the Company shall be two hundred thousand dollars and may be called up by the directors from time

time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

15. The head office of the Company shall be at the town of Niagara Falls in the province of Ontario. Head office.

16. The annual meeting of the shareholders shall be held on the second Tuesday in the month of September in each year at the head office of the Company, or at such other place in Canada as the shareholders by by-law appoint. Annual meeting.

17. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose seven persons to be directors of the Company, and one or more of whom may be paid directors of the Company. Directors.

18. The Company may issue bonds, debentures or other securities to an amount not exceeding two hundred thousand dollars in aid of the construction of the bridge; and such bonds may be secured by a deed of mortgage; and such deed of mortgage may contain provisions that all tolls and revenues derived from the use of such bridge by other corporations or persons shall be specially charged and pledged as security for such bonds, and may also provide, subject to the provisions of *The Railway Act* and section six of this Act, that the Company shall pay to the trustees of such mortgage similar rates and tolls to those fixed for the use of the bridge by similar corporations, which rates and tolls shall also be charged as security for such bonds. Bonding powers.

19. The work hereby authorized shall be commenced within two years after the Executive of the United States has consented to and approved such bridging, and be completed within five years from the passing of this Act, otherwise the powers granted under this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted. Time for construction of bridge.

20. In case the state of New York or the United States at any time provide for the appointment of a commission for regulating the working of the bridge, the use thereof and the compensation to be made therefor, and for settling any dispute in respect thereof, the Governor in Council may join in the appointment of the said commission on such terms as he thinks proper, and appoint one or more persons as members of the said commission; and the decisions of the said commission shall first be submitted to the Governor in Council, and, if approved of, shall thereafter be final and conclusive to the extent to which the same are final and conclusive by virtue of the provisions made by the state of New York or the United States. Joint commission to regulate working of bridge.

As to Queen
Victoria Nia-
gara Falls
Park.

21. The site of the bridge or other works authorized to be constructed by this Act, shall not in any way interfere with the land and appurtenances which are now under the control of the Commissioners of the Queen Victoria Niagara Falls Park, and which will be required by them for the construction and operation of the low level railway which they have power to construct or require to be constructed,—the extent of such accommodation for the said low level railway as a double track railway, being such as the Railway Committee of the Privy Council deems to be sufficient.

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59 VICTORIA.

CHAP. 44.

An Act to revive and amend the Act to incorporate the Alberta Irrigation Company.

[Assented to 23rd April, 1896.]

WHEREAS the provisional directors of the Alberta Irrigation Company have by their petition prayed that the Act incorporating the Company be revived and amended as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Subject to the provisions of this Act, the Act incorporating the Alberta Irrigation Company, being chapter sixty-nine of the Statutes of 1893, is hereby revived and declared to be in force; and the times limited by the said Act for the commencement and completion of the works of the Company are hereby extended for three years and ten years respectively from the passing of this Act; and if the works are not commenced and completed within the said times respectively, then the powers granted by the said Act and by this Act shall cease and be null and void as respects so much of the said works as then remains uncompleted.

1893, c. 69,
revived.

Time for
construction.

2. Section one of the said Act of incorporation is hereby amended by striking out the words "the Honourable Sir Alexander T. Galt" in the first line, and by striking out the word "and" in line two, and inserting after the name "Donald W. Davis," in the third line, the words "William D. Barclay of Lethbridge and Charles O. Card of Cardston."

Section 1,
amended.

3. The provisional directors may vote and act by proxy; but such proxies shall be held by provisional directors only, and no provisional director shall hold more than two proxies.

Proxies.



59 VICTORIA.

CHAP. 45.

An Act relating to the Board of Trade of the City of Toronto.

[Assented to 23rd April, 1896.]

WHEREAS the Board of Trade of the City of Toronto was authorized by chapter fifty-six of the Statutes of 1886, intituled *An Act to amend the several Acts relating to the Board of Trade of the City of Toronto*, to create a gratuity fund in the manner and for the purpose therein specified and to assess the members of the corporation from time to time for such sum as is necessary to create and keep up such gratuity fund but not exceeding forty dollars yearly for each member; and whereas it has been found impracticable to keep up the said gratuity fund, to the extent and in the manner intended by the said corporation, by assessments within the said limit of amount, and the said corporation is desirous of being enabled to assess the members more equitably with regard to the age and insurable condition of each member thereof, and has therefore petitioned for an Act to amend the Act incorporating the said Board of Trade and the several Acts amending the same, in so far as relates to its gratuity fund and the administration thereof and to enable it to make such changes in the manner of working the gratuity fund as it sees fit, and for other purposes, and it is expedient to grant, as hereinafter enacted, the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Board of Trade of the City of Toronto may pass by-laws, from time to time, pursuant to the provisions of section seven of the Act cited in the preamble, for re-arranging the plan of its gratuity fund and for fixing the several amounts assessable upon and payable to members of the corporation who are, at present, subscribers to the said fund, for the purpose of keeping up the said gratuity fund as recited in the preamble, and the same may exceed the sum of forty dollars yearly for any new member, or for any present member of the

Certain changes may be made.

said fund who may voluntary elect to subscribe to such re-arrangement of the said fund as may be made to apply to new members.

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59 VICTORIA.

CHAP. 46.

An Act to incorporate the Manitoba and North-west Millers' Association.

[Assented to 23rd April, 1896.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed for incorporation under the name and
with the powers hereinafter mentioned, and it is expedient to
grant the prayer of the said petition: Therefore Her Majesty,
by and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. Andrew Kelly, of Brandon, R. C. Ennis, of Neepawa, J. Incorporation.
S. McKay, of Boissevain, Robert Muir, of Winnipeg, William
Herriott, of Souris, E. Peplow, of Rapid City, J. W. Cochrane,
of Glenboro', and Findlay Young, of Killarney, all in the
province of Manitoba, J. H. Joiner, of Fort Qu'Appelle, John
Hughes, of Wapella, and D. McLean, of Calgary, all in the
North-west Territories of the Dominion of Canada, and such
other persons carrying on business as millers in Manitoba and
the North-west Territories as are associated with the persons
above named for the purposes of this Act, are hereby constitu- Corporate
ted a body corporate, by the name of "The Manitoba and name.
North-west Millers' Association," hereinafter called "the
Association."

2. The Association may acquire and hold, under any title Power as to
whatsoever, property, real and personal, may alienate, sell and property.
convey, lease or otherwise dispose thereof or any part thereof
from time to time, as occasion requires, and may acquire other
property, real or personal, instead thereof; Provided always,
that the clear annual value of the real estate held by the As-
sociation at one time shall not exceed the sum of five thousand
dollars.

3. The objects of the Association are to promote, extend and Objects of the
improve the manufacture of flour and meal, the business of Association.
flour milling generally in Manitoba and the North-west Terri-
tories, and the shipping and sale to foreign markets, as well as

to the markets of this country, of grain, flour and meal, and to assist the members of the Association with regard to the matters aforesaid, as provided by by-law, and to arbitrate, adjust, settle and determine controversies and misunderstandings between persons engaged in the said trades, or such as are submitted for arbitration as hereinafter provided; but nothing herein contained shall be construed as constituting the Association a trading company, or empowering them to engage as a trading association in the business of buying and selling grain, flour or other merchandise; nor shall the Association, by rule, regulation, by-law, or otherwise, fix or determine, or endeavour to fix or determine in any way whatever, the price that the members or any of them shall pay or offer for grains in Canada.

Domicile and
place of meet-
ing.

4. The place of meeting of the Association shall be in the city of Winnipeg, or such other place as is appointed by by-law; and such place of meeting shall be held to be the legal domicile of the Association.

Executive
committee.

5. For the management of the affairs and business of the Association there shall be an executive committee consisting of a president, first vice-president, second vice-president, secretary and treasurer, and of such other number of members as is from time to time provided by by-law, all of whom shall be members of the Association and shall be elected annually at such time and place, in such manner and under such regulations as are from time to time determined by the by-laws of the Association; and in case of a vacancy, such vacancy shall be filled in the manner provided by the by-laws of the Association; a majority or such number as is fixed by the by-laws of the Association shall constitute a quorum of such executive committee for the transaction of business.

Provisional
committee.

6. A. Kelly, R. C. Ennis, J. S. McKay, R. Muir, William Herrrott, J. H. Joiner, J. W. Cochrane, E. Peplow and Findlay Young shall be the executive committee of the Association until others are elected in their place under the provisions of this Act; and the committee hereby appointed shall, until the said election, have all the powers assigned to the executive committee by this Act, and may open the books, enroll members and receive subscriptions, call the necessary meetings, and make the necessary regulations for the first election of the executive committee, and do all matters and things necessary for the full organization of the Association.

Who may be
members.

7. Such persons as are owners of a mill for the manufacture of flour or meal, or lessees of such a mill, actually carrying on the business of milling therein, and such other persons as by by-law hereafter provided, shall be eligible as members of the Association.

8. An annual meeting of the members of the Association shall be held for the election of the president and other officers of the Association, and members of the executive committee, and for such other business as is brought before such meeting, at such time and place, and under such regulations and notices as are provided by the by-laws of the Association. Annual meeting.

9. The Association, or the majority of the members present, such number being not less than eight, at any annual or general meeting, may make and enact such by-laws, rules and regulations for the government of the Association, providing for the admission, expulsion or retirement of members, the subscriptions and fees to be paid by members, for the calling of meetings, for the election and guidance of the president, first vice-president, second vice-president and other members of the executive committee and committees, including a board of arbitration, and such other officers as are deemed necessary, and defining their duties and powers, and all other by-laws in accordance with the requirements of this Act or the laws of Canada, and for the carrying on of the affairs of the Association generally, as seems expedient; and such by-laws shall be binding on the Association, its officers and servants, and all other persons lawfully under its control; but every such by-law, and every repeal, amendment or re-enactment thereof passed at any meeting, except an annual meeting, unless in the meantime confirmed at a general meeting of the Association duly called for that purpose by giving ten days' notice thereof, shall have force only until the next annual meeting of the Association, and in default of confirmation thereat shall, at and from that time only, cease to have force. By-laws.

10. The Association may provide by by-law for the election or appointment by nomination of seven arbitrators, members of the Association, three of whom may decide controversies, disputes or misunderstandings relating to any commercial or other matters connected with the objects of the Association, which arise between the members of the Association, or any persons claiming by, through or under them, and are voluntarily submitted for arbitration by the parties to the dispute, and may provide by by-law any form of agreement, or submission to arbitration, between its members, not contrary to law; and nothing shall prevent the parties in any case from naming members of the Association, other than members of the board of arbitrators, as the arbitrators to whom the matter shall be submitted. Arbitrators.

11. The elected or appointed arbitrators shall after their election or appointment, and before they act as arbitrators, take and subscribe an oath before a justice of the peace, or a commissioner appointed to receive affidavits in the Court of Queen's Bench (who are hereby empowered to administer such oath, Arbitrators to be sworn.

oath, which may be in the form A in the schedule to this Act) that they will faithfully, diligently and impartially perform their duties as arbitrators, and will in all cases submitted give a true and just award according to the best of their judgment and ability, without fear, favour or affection of or for any party or person; and the arbitrators appointed by the parties shall in each case, before they act, take and subscribe a similar oath in the manner aforesaid.

Examination
under oath.

12. The three members appointed to hear any case submitted for arbitration as aforesaid, or any two of them, shall have full power to examine under oath (which oath any one of such three members is hereby empowered to administer, and which may be in the form B in the schedule to this Act) any party or witness appearing before them to be examined, and shall give an award thereupon in writing; and their award, or that of any two of them, given in such case, shall bind the parties according to the terms of submission and the provisions of this Act.

Award.

Recovery of
money due to
Association by
members.

13. All subscriptions of members, all penalties incurred under any by-law, and all other sums of money due by any member of the Association, may, in default of payment, be recovered in any action brought in the name of the Association; and it shall only be necessary to allege in any such action that the defendant is or has been a member of the Association, and that he is indebted to the Association in the amount claimed in respect of subscription, penalty, or otherwise; and a certificate under the seal of the Association, and signed by the president and vice-president and secretary, to the effect that the defendant is or has been such member, and that he is so indebted as alleged, shall be received in all courts as *prima facie* evidence of such indebtedness.

Branch associations.

14. The Association may provide for the formation, in accordance with such rules and regulations as are adopted for the purpose, of branch associations in any city, town, county or territorial division as to the Association appears expedient; and may alter the organization of or dissolve such branches; but no such branch shall be deemed to be a separate association.

Suspension
and expulsion
of members.

15. The Association may suspend any member and debar him from the privileges of and incidental to membership, and may also expel any member, for such cause and in such manner as the by-laws of the Association provide.

SCHEDULE.

A.

Oath of Arbitrators.

I, _____, solemnly swear that I will faithfully, diligently and impartially perform my duty as arbitrator, and that I will in all cases (or in the case between _____ and _____ now) submitted to me, give a true and just award according to the best of my judgment and ability, without fear, favour or affection, of or for any party or person whomsoever : So help me God.

B.

Oath of Witnesses.

I, _____, solemnly swear that I will true answer make to all such questions as shall be asked of me as a witness under examination in this case between _____ and _____ and that therein I will to the best of my knowledge, information and belief, speak the truth, the whole truth, and nothing but the truth : So help me God.

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59 VICTORIA.

CHAP. 47.

An Act to incorporate the Canadian Peat Fuel Company.

[Assented to 23rd April, 1896.]

WHEREAS a petition has been presented praying for the Preamble.
incorporation of a company for the purposes and with the powers hereinafter set forth, including therein the power of constructing and operating a line of railway, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. George Halsey Perley, of the city of Ottawa, Archibald Anderson Dickson, of the city of Toronto, William Anderson Allan, of the city of Ottawa, and Alexander Jardine, James Richard Silliman, Rupert Mearse Wells, and William B. Bayley, all of the city of Toronto, together with such persons as have heretofore or shall hereafter become shareholders of the company hereby incorporated, are hereby constituted a body corporate under the name of "The Canadian Peat Fuel Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons mentioned by name in the first section of this Act are hereby constituted the provisional directors of the Company, the majority of whom shall form a quorum. Provisional directors.

3. The head office of the Company shall be in the city of Toronto, in the province of Ontario, or in such other place in Canada as the directors determine by by-law from time to time Head office.

4. The Company may— General powers and business of company.
(a.) purchase, acquire, hold, lease, sell and dispose of peat bogs, peat marshes, swamps, mines, mining lands and mining rights, and open up and work the same in the province of Ontario and elsewhere in the Dominion of Canada, and transact all business connected therewith;

(b.) mine and get therefrom peat, iron, ores and metals, and all or any minerals or metallic products or other deposits there found or being;

(c.) manufacture, buy, sell and deal in peat and other fuel products and also any moss, clay, iron and all deposits, minerals or products, materials and substances, which may be or be found in or upon the properties of the Company, and trade in the same and in all minerals, substances and manufactured products of such properties, mines or mining rights, and transact all business connected with the purposes aforesaid or any of them ;

(d.) purchase, acquire, hold, convey, exchange, mortgage, and dispose of lands, mining properties and rights, personal property, mills, machinery, vehicles propelled by steam or otherwise, and other property for the purposes of the business of the Company ;

(e.) make, carry on and operate all necessary and proper works and factories, and purchase, hold, lease, erect and maintain, mortgage and dispose of all suitable mills, engines, furnaces, houses and buildings ;

(f.) acquire by assignment, license, lease, purchase, royalty or otherwise, and use and enjoy any inventions and letters patent of invention for or connected with all or any of the purposes and business of the Company, and may sell, assign or dispose thereof ;

(g.) buy, sell, trade and deal in all kinds of merchandise, necessary or incidental to the business of the Company ;

(h.) construct, purchase, operate, maintain or lease telephone lines, for the purpose of the Company's own business, and manufacture and sell gas for public or private use, in connection with the railway or works owned or carried on by the Company ;

(i.) construct, charter and employ vessels for the purposes aforesaid, and for the purposes of transporting the produce of the mills, mines and works to any place or places within Canada or elsewhere ;

(j.) purchase or otherwise acquire from any person any business within the objects of the Company, and any lands, property, privileges, rights, contracts and liabilities appertaining to the same ; and may let or sublet any property of the Company ; and sell or otherwise dispose of the business, property or undertaking, or any part thereof, for such considerations as the Company thinks 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 ; provided that nothing herein contained shall be construed as enabling the Company to acquire real estate beyond what is necessary for the carrying on of their business as aforesaid ;

(k.) also do all other matters and things which the Company may deem expedient, incidental or conducive to the attainment of the objects of the Company or any of them.

receipts, bills of lading and other negotiable instruments: Provided, however, that nothing in this section shall be construed to authorize the Company to issue any note or bill payable to bearer, or intended to be circulated as money, or as the note or bill of a bank.

6. The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches from a point in the township of Wainfleet, in the county of Welland and province of Ontario, at or near the present peat fuel works in said township, thence passing north over the Welland canal feeder to the line of and crossing the railway of the Grand Trunk Railway Company, and thence to a point on the line of the railway of the Canada Southern Railway Company in the said township, in all a distance of three miles, more or less, the said railway being situate entirely within the said township of Wainfleet; with power to lay out, construct and operate for all or any of the purposes mentioned in *The Railway Act*, railways, sidings, switches or branch lines of railway, not exceeding in any one case six miles in length, for the conveyance of passengers and goods and for the transportation of the minerals and products of the Company to and from the mines, properties and works of the Company, to one or more places of transhipment or otherwise.

Line of railway described.

Branches.

7. The capital stock of the Company shall be one million five hundred thousand dollars, divided into shares of one hundred dollars each, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed.

Capital stock.

8. The first general meeting of the Company shall be held at such time and place in the province of Ontario as a quorum of the provisional directors may determine, and notice of such meeting shall be given in manner provided by *The Companies Clauses Act* with respect to general meetings of the Company.

First general meeting.

9. At such meeting the shareholders of the Company, who have paid all calls due on their shares, shall choose seven persons to be directors of the Company, one or more of whom may be paid directors of the Company.

Election of directors.

10. The Company may receive, either by grant from any government or from any individual or corporation, municipal or otherwise, as aid in the construction of the railway and works provided for in this Act, any Crown lands, or any real or personal estate or property, or any sums of money or debentures, either as gifts, by way of bonus, or in payment, and may legally dispose of the same, and may alienate the land and other real and personal property for the purposes of the Company in carrying out the provisions of this Act.

Grants in aid.

Buying out
another
company.

11. The Company may purchase, or otherwise acquire and take over, as a going concern, in whole or in part, upon such terms as may be agreed upon with the company hereinafter mentioned, and may thereafter hold, exercise and enjoy the business, franchises, undertaking, properties, rights, powers, privileges and assets of the Ontario Peat Fuel Company (Limited) heretofore incorporated by letters patent under the *Ontario Joint Stock Companies Letters Patent Act*, and may pay the consideration either wholly or partly in cash, or wholly or partly in capital stock of the Company, either paid up or partly paid up, or issued as wholly or partly paid-up stock, and whether subscribed for or not, or wholly or partly in bonds or debentures of the Company, or otherwise, as may be agreed upon; and in the event of such purchase or other mode of acquirement being entered into, may also undertake, assume, pay or guarantee all or any of the obligations, liabilities, contracts and engagements of the said Ontario Peat Fuel Company (Limited), or affecting the assets and property of the latter company; and may also subscribe for, purchase or otherwise acquire, and may hold or dispose of the shares and stock of the said last mentioned company; provided always, that after the completion of such purchase or acquisition, the Ontario Peat Fuel Company (Limited) shall no longer exercise its corporate powers, or make use of its corporate name for any purpose, except for the purpose of supporting and carrying into effect the said sale or other absolute transfer, and of winding up its affairs thereafter.

Issue of paid-
up stock in
payment of
purchase.

12. The directors of the Company may make and issue as paid-up and unassessable stock shares of the capital stock of the Company, whether the same are subscribed for or not, and whether paid up or not, in payment of and for the businesses, franchises, undertaking, properties, rights, powers, privileges, stock and assets of the said the Ontario Peat Fuel Company (Limited) acquired under this Act, and may allot and hand over such shares to the said last mentioned company or to its shareholders respectively; and may also make and issue, as paid-up and unassessable stock, shares of the capital stock of the Company, whether subscribed for or not and whether paid up or not, and may allot and hand over the same in payment for right of way, lands, mining rights, plant, property, letters patent of invention, rolling stock or materials of any kind, and also for the services of contractors and engineers; and any such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls, nor shall the holders thereof be in any way liable thereon.

And for right
of way, &c.

Issue of
bonds, &c.,
limited.

13. The Company may issue bonds, debentures or other securities under the provisions of *The Railway Act*, to the extent of ten thousand dollars per mile of the railway and branches, and such bonds, debentures or other securities may

be issued only in proportion to the length of railway constructed or under contract to be constructed.

14. The directors may, also, when authorized by a by-law for that purpose, passed and approved of by the votes of shareholders representing at least two-thirds in value of the stock issued by the Company represented at a special general meeting duly called for considering the by-law—

(a.) borrow money upon the credit of the Company, and issue bonds, debentures or other securities for any sums borrowed, at such prices as are deemed necessary or expedient; but no such debentures shall be for a less sum than one hundred dollars;

(b.) hypothecate or pledge the real or personal property of the Company to secure any sums borrowed by the Company.

2. The amount borrowed shall not at any time be greater than seventy-five per cent of the actual paid-up stock of the Company, but this limitation shall not apply to commercial paper discounted by the Company.

15. Subject to the provisions of section eleven of this Act, nothing herein contained shall in any way alter or abridge the subsisting rights or liabilities of the Ontario Peat Fuel Company (Limited), nor shall anything in this Act discharge the last mentioned company from any liabilities, or affect or impair the rights of its creditors.

16. The Company may enter into an agreement with the Canada Southern Railway Company for acquiring, by purchase, lease or otherwise, and for the conveying or leasing to the Company hereby incorporated, the railway hereby authorized to be constructed and operated, either in whole or in part, including all or any rights, powers or privileges acquired by the said Canada Southern Railway Company in respect of the said railway hereby authorized to be constructed, on such terms and conditions as may be agreed upon, and subject to such restrictions as to the directors may seem fit; and the Company hereby incorporated may enter into an agreement with the Grand Trunk Railway Company of Canada or with the Canada Southern Railway Company, or with the Toronto, Hamilton and Buffalo Railway Company, or with the Canadian Pacific Railway Company, or any of them, for conveying or leasing to any of such companies the railway of the Company hereby incorporated, in whole or in part, or any rights or powers acquired under this Act, as also the surveys, plans, works, plant, materials, machinery and other property to it belonging, or for an amalgamation with any of the said companies, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; Provided that any such agreement shall have been first approved by two-thirds of the votes at a special general meeting of the shareholders of

Borrowing powers.

Limit of borrowing powers.

Existing rights saved.

Agreements with other railway companies.

Proviso: approval of shareholders and sanction of Governor in Council.

the Company hereby incorporated duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the stock are present in person or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section two hundred and thirty-nine of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company hereby incorporated runs, and in which a newspaper is published.

1888, c. 29. **17.** Sections one to thirty, inclusive, and sections eighty-nine to three hundred and nine, inclusive, of *The Railway Act* shall apply to the railway of the Company hereby incorporated.

R.S.C., c. 118. **18.** Subject to the provisions of this Act, *The Companies Clauses Act*, save and except sections eighteen, thirty-nine and forty-one, shall apply to the Company.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



59 VICTORIA.

CHAP. 48.

An Act to incorporate the Hamilton Blast Furnace Company.

[Assented to 23rd April, 1896.]

WHEREAS a petition has been presented praying for the incorporation of a company for the purposes and with the powers hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. John H. Tilden, John Milne, A. T. Wood, William Southam, R. R. Morgan, A. E. Jarvis, George Hope and Cyrus A. Birge, all of the city of Hamilton, in the province of Ontario, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Hamilton Blast Furnace Company (Limited)," hereinafter called "the Company."

Preamble.

Incorporation

Corporate name.

2. The persons named in the first section of this Act shall be the provisional directors of the Company, a majority of whom shall form a quorum.

Provisional directors.

3. The head office of the Company shall be in Hamilton, in the county of Wentworth and province of Ontario, or such other place in Canada as the directors determine by by-law.

Head office.

4. The Company may—

Powers.

(a.) carry on the business of exploring for, mining, or otherwise acquiring iron, nickel, copper and other metals, materials, minerals and ores;

To explore for and mine metals, &c.

(b.) crush, smelt, reduce and manufacture such metals, minerals and ores;

To crush and reduce ores.

(c.) carry on the business generally of smelting metals, minerals and ores, and manufacturing the same, and of manufacturing therefrom as well as in combination with other metals, minerals, ores, substances and materials, all articles of merchandise that may be manufactured therefrom, including iron, steel and nickel of all kinds and descriptions and all forms;

To smelt and manufacture minerals, &c.

- To carry on rolling mill, &c.

(d.) carry on the business of rolling mills, and the manufacture of iron and steel rails and all kinds and classes of muck bar and refined rolled bar-iron, Bessemer and other kinds and descriptions of steel ;
- Manufacture charcoal, coke, &c.
To acquire real and personal property, &c.,

(e.) manufacture charcoal, coke and other fuel and requisites for the said business ;

(f.) acquire, by purchase or otherwise, such real and personal property, easements, premises, claims, mining locations, limits, privileges or other rights necessary or convenient for the business or operations of the Company ;
- To erect mills and other works.
To construct tramways.

(g.) erect and establish works, mills, factories, warehouses and other buildings and operate the same ;

(h.) construct tramways necessary for the carrying of the business of the Company and operate them by steam, electricity or other motive power ;
- To build steam and other vessels.

(i.) build, acquire, charter or lease steam and other vessels, boats, piers and wharfs, telegraph and telephone lines, aqueducts, dams, water-power, roads, and other works in connection with the works of the Company, or which are necessary for the business of the Company, and, subject to the approval of shareholders representing at least two-thirds of the value of the stock issued by the Company at a general meeting to be duly called for considering the subject, may aid, by way of bonus or otherwise, the construction or maintenance of any of the same or any railways serving or promoting the Company or its interests ;
- Issue paid-up shares in payment for property purchased by company.

(j.) issue paid-up shares of the capital stock of the Company for real or personal property, claims, mining locations, limits, privileges or other rights which are deemed suitable or necessary for the purposes of the Company.

5. In the production, working, disposal or distribution of electricity, electric or hydraulic power, the Company shall be subject to the following provisions, that is to say :—

- (a.) The Company shall not interfere with the public right of travelling on or using such public roads, highways, streets, bridges or watercourses, and other like places, and shall not do any unnecessary damage, nor in any way obstruct the entrance to any door or gateway or free access to any building ;
- (b.) The Company shall not affix any wire less than twenty-two feet above the surface of the street or road, nor erect more than one line of poles along any street or road without the consent of the municipal council having jurisdiction over the roads or streets of the municipality ;
- (c.) In all municipalities the poles shall be, as nearly as possible, straight and perpendicular, and shall, in cities, be painted, if so required by any by-law of the council ;
- (d.) Whenever, in case of fire, it becomes necessary for its extinction or in the preservation of property, that the poles or wires should be cut, the cutting, under such circumstances, of the poles, or any of the wires of the Company, under the direction

direction of the chief engineer or other officer in charge of the fire brigade, shall not entitle the Company to demand or to claim compensation for any damage thereby incurred ;

(e.) The Company shall be responsible for all damage which its agents, servants or workmen cause to individuals or property in constructing, carrying out or maintaining any of the said works in this or the next preceding section authorized ;

(f.) The Company shall not cut down or mutilate any shade, fruit or ornamental tree ;

(g.) In all municipalities the opening up of streets for the erection of poles, or for carrying the wires under ground, shall be subject to the direction and approval of such engineer or other official as the council appoints, and shall be done in such manner as the council directs ; the council may also direct and designate the places where the poles are to be erected in such municipality ; and the surface of the street shall, in all cases, be restored as far as possible to its former condition by and at the expense of the Company ;

(h.) No Act of Parliament requiring the Company, in case efficient means are devised for carrying wires under ground, to adopt such means, and abrogating the right given by this section to continue carrying lines on poles through cities, towns, or incorporated villages, shall be deemed an infringement of the privileges granted by this Act ;

(i.) No person shall labour upon the work of erecting or repairing any line or instrument of the Company, without having conspicuously attached to his dress, a medal or badge on which shall be legibly inscribed the name of the Company, and a number by which he can readily be identified ;

(j.) Nothing herein contained shall be deemed to authorize the Company, its servants, workmen or agents, to enter upon any private property for the purpose of erecting, maintaining or repairing any of its works without the previous assent of the owner or occupant of the property for the time being ;

(k.) If in the removal of buildings, or if in the exercise of the public right of travelling on or using any public road, highway or street, it becomes necessary that the said wires or poles be temporarily removed, it shall be the duty of the Company at its own expense, upon reasonable notice in writing from any person requiring the same, to remove such wires or poles, and in default of the Company so doing, it shall be lawful for any such person to remove the same at the expense of the Company, doing no unnecessary damage thereby ; and such notice may be given either at the head office of the Company or to any agent or officer of the Company in the municipality wherein such wires or poles are required to be removed, or in the case of a municipality wherein there is no such agent or officer of the Company, then either at the head office, or to any agent or officer of the Company in the nearest or any adjoining municipality to that in which such wires or poles require to be removed ;

(l.) The Company shall make due provision for, take care and dispose of all waters and drainage to the extent it disturbs or interferes with the same, whether from artificial drains, natural streams or watercourses, which drains, natural streams or watercourses the said watercourse and raceway crosses, touches or interferes with, and which are in existence at the time of the construction of the said watercourse and raceway ;

(m.) All subsequent questions, disputes or complaints as to the construction of new drains and as to the alteration, enlargement and change of existing drains and of natural streams or watercourses, and as to who shall make such alterations, enlargements and changes and by whom the expenses thereof shall be paid, as also any complaint or dispute as to the manner or sufficiency of the compliance with the provisions of the next preceding paragraph, shall be inquired into, heard and determined by the Railway Committee of the Privy Council in the same manner as is provided for other matters to be inquired into, heard and determined by the said Committee under *The Railway Act* ;

1888, c. 29.

(n.) The authority herein given with respect to such streets, highways, and public places, shall only be exercised subject to such agreement with respect thereto as is made between the Company and the said municipalities respectively, and under and subject to any by-law of the councils of the said municipalities passed in pursuance thereof.

Capital stock.

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

First general meeting.

7. The first general meeting of the Company shall be held at such time and place in the province of Ontario as the provisional directors or any five of them determine, and notice of such meeting shall be given by mailing, at least ten days before the holding of such meeting, a written notice of such time and place, postage prepaid, to the address of each of the shareholders of the Company ; and at this or a subsequent meeting the Company may be organized by the election of not less than five directors or other necessary officers.

Election of directors.

Grants in aid.

8. The Company may receive, either by grant from any government, or from any individual or corporation, municipal or otherwise, as aid in the construction of the works provided for in this Act, any Crown lands, or any real or personal estate or property, or any sums of money or debentures, either as gifts by way of bonus or in payment, and may legally dispose of the same and alienate the lands and other real or personal property for the purposes of the Company in carrying out the provisions of this Act.

Power to purchase the franchises and property of

9. The Company may purchase, lease or otherwise acquire and take over as a going concern or otherwise, in whole or in part, upon such terms as are agreed upon at a meeting of

shareholders of the Company called for that purpose, and representing at least two-thirds of the value of the stock issued by the Company, and may thereafter hold, exercise and enjoy the business, grants of land and bonuses, shares, debentures or other securities, undertaking, property, rights, powers and privileges, and assets or any of them of the Hamilton Iron and Steel Company (Limited), and may pay the consideration therefor either wholly or partly in cash, or wholly or partly in capital stock of the Company, paid up or partly paid up or issued as wholly or partly paid up and whether subscribed for or not, or wholly or partly in any debentures of the Company, or otherwise, as agreed upon; or may, upon such terms as they desire, enter into and carry out any arrangements with the said company for the working or carrying on by the Company of the business of the said company, and may also undertake, assume, pay or guarantee all or any of the obligations, liabilities, contracts or engagements of the said Hamilton Iron and Steel Company (Limited) or affecting the assets and property of the said company, and may thereafter hold and dispose of the said business, grants of land and bonuses, shares, debentures or other securities, of the said Company.

the Hamilton Iron and Steel Company.

Or make arrangements with that company.

10. The directors of the Company may make and issue as paid-up and unassessable, shares of the capital stock of the Company, whether subscribed for or not, and whether paid up or not, in payment for the businesses, shares, debentures or other securities, grants of land and bonuses, undertakings, properties, rights, powers, privileges and assets of the said Hamilton Iron and Steel Company (Limited) or any one or more of them acquired under this Act, and may allot and hand over such shares to the said Hamilton Iron and Steel Company (Limited) or their shareholders, or any one or more of them respectively, or to such other company, firm or firms, individual or individuals as partners as may be agreed upon; and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls, nor shall the holders thereof be in any way liable thereon; provided that the Company shall not issue more than three thousand five hundred shares of the capital stock as fully paid up under the provisions of this section.

Issue of paid-up stock in payment for property of the Hamilton Iron and Steel Company.

Issue limited.

11. The directors may, when authorized by by-law for that purpose passed and approved of by the votes of shareholders representing at least two-thirds of the value of the stock issued by the Company, represented at a special general meeting duly called for considering the by-law—

Borrowing powers.

(a.) borrow money upon the credit of the Company, and issue bonds, debentures or other securities for any sums borrowed, at such prices as are deemed necessary or expedient; but no such debenture shall be for a less sum than one hundred dollars;

Bonds, &c., may be issued.

Property of company may be pledged.

(b.) hypothecate, mortgage or pledge the real or personal property of the Company to secure any sums borrowed by the Company;

Limitation as to amount.

2. The amount borrowed shall not at any time be greater than seventy-five per cent of the actual paid-up stock of the Company; but this limitation shall not apply to commercial paper discounted by the Company.

As to commercial paper.

R.S.C., c. 118.

12. Sections eighteen and thirty-nine of *The Companies Clauses Act*, and section forty-one of the said Act, in so far as it is inconsistent with the provisions of this Act, shall not apply to the Company hereby incorporated.

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.



59 VICTORIA.

CHAP. 49.

An Act respecting the Huron and Erie Loan and Savings Company.

[Assented to 23rd April, 1896.]

WHEREAS the Huron and Erie Loan and Savings Company Preamble.
have by their petition represented that they are a loan
company duly incorporated under the laws of Upper Canada ; Con. Stata.
that their business is the investment of money upon securities U. C., c. 53.
within the Dominion of Canada ; that their powers of lending
money are confined to investment on mortgages of real
estate, stock or securities of the Dominion of Canada or
province of Ontario, debentures of municipal or public school
corporations or of building and loan companies incorporated
under the same Acts as this Company ; that they are prohibited
from lending upon personal security ; that they are empowered
by the Parliament of Canada to borrow money by way of
debentures and to receive money deposits as a savings bank,
subject to restrictions imposed that such debentures and
money deposits shall be of certain amounts proportionate to
the subscribed, fixed and permanent capital of the Company ;
and whereas the said Company desire that the extent of
their general powers of borrowing and of receiving money
deposits and creating liabilities of every kind as determined by
general Acts, should be made to appear in one and the same
Act, and have shown that the declaring and setting forth in
one Act of the said matters will aid and benefit their oper-
ations ; and whereas it is expedient to grant in part the prayer
of the said petition : Therefore Her Majesty, by and with the
advice and consent of the Senate and House of Commons of
Canada, enacts and declares as follows :—

1. This Act may be cited as *The Huron and Erie Loan and Savings Company's Act, 1896.* Short title.

2. The aggregate amount of money deposits of the Company together with the amount of the debentures issued or to be issued as hereinafter provided and remaining unpaid may be equal to, but shall not at any time exceed, double the aggregate amount Amount of liabilities limited.

amount of the paid-up, unimpaired, fixed, and permanent capital of the Company not liable to be withdrawn therefrom, together with a further sum which may be equal to but shall not exceed the amount remaining unpaid on the subscribed, fixed and permanent capital upon which not less than twenty per cent has been paid; but in no case shall the total liabilities of the Company to the public at any time exceed three times the amount actually paid up in respect of fixed and permanent capital of the Company, nor shall they at any time exceed the amount of principal remaining unpaid on the mortgages at such time held by the Company; provided that the amount held by the company on deposit shall not at any time exceed the amount of the paid-up and unimpaired capital of the Company.

Loans to shareholders and officers prohibited.

3. It shall not be lawful for the said Company to make loans or advances to their shareholders upon the security of their stock in the said Company, or to make loans or advances to any director or other officer of the Company upon any security whatever.

Voting.

4. At all meetings of shareholders of the Company the shareholders shall have one vote for each share held by them respectively, irrespective of the amount paid up on such share, and shareholders may vote by proxy; but no shareholder who is in arrear in respect of any call on such stock shall vote at any meeting of the Company in respect thereof.

Issue of debentures.

5. The board of directors may issue debentures of the Company for such sums not being less than one hundred dollars each, and in such currency as they deem advisable and payable in the Dominion of Canada or elsewhere, not less than one year from the issue thereof, subject to the limitations hereinbefore mentioned, and may also issue interest coupons upon such debentures, and such debentures and interest coupons may be in the form and executed in the manner indicated in schedule A to this Act or to the like effect.

Transfer of debentures.

6. Such debentures or any of them may, in the option of the Company, contain a provision in the following words: "This debenture or any interest therein is not transferable except by entry in the debenture registry book of the said Company," or to the like effect.

Registration of transfers.

7. The said Company shall cause every transfer of such last mentioned debentures to be entered in a proper debenture registry book to be kept for that purpose, and such entry shall not be made except upon the written authority of the person last entered in such book as the owner of such debentures or of his executor or administrators or of his or their lawful attorney, which authority shall be retained by the said Company and duly filed.

8. Such last mentioned debentures shall only be transferable by entry in such debenture registry book, from time to time, of transfers of such debentures as the same are authorized by the owner thereof or his attorney. Transfer of debentures.

9. Nothing herein contained shall be construed as entitling the said Company to be exempt from the effect of any amendments or alterations which it may be deemed proper to make in the general Acts respecting building societies carrying on business in Ontario. As to future legislation.

SCHEDULE A.

Under the authority of the Act of the Parliament of Canada, 37 Vic., cap. 50, and the Acts in amendment thereof, and of the Revised Statutes, of Ontario, 1887, cap. 169.

\$.....

Debenture No.

(transferable.)

The president and directors of the Huron and Erie Loan and Savings Company (acting for and on behalf of the said Company) promise to pay to or order dollars on the day of in the year of our Lord, 189 , at the office of the Company, London, Ontario, with interest at the rate of per cent per annum, to be paid half-yearly on presentation of the proper coupons for the same as hereunto annexed, say on the day of and the day of in each year at the office of the Company, in the city of London, Ontario.

Dated at London, in the province of Ontario, Canada, this day of , 189 .

For the president and directors of the Huron and Erie Loan and Savings Company.

President (or Vice-President.)

Manager (or Accountant.)

CUPON.

The Huron and Erie Loan and Savings Company of London,
Ontario.

No. \$

Half-yearly dividend due , 189 , on
debenture No. , issued by this Company on the
day of , 189 , for \$
at per cent per annum at the office of the Com-
pany in the city of London, Ontario.

This coupon is payable to
or order.

For the president and directors.

President, Vice-President or Manager.

Accountant.

(Or, if manager has not already signed, *Manager.*)

OTTAWA : Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



59 VICTORIA.

CHAP. 50.

An Act to incorporate the Imperial Life Assurance Company of Canada.

[Assented to 23rd April, 1896.]

WHEREAS the persons whose names are hereinafter mentioned have by their petition prayed to be incorporated for the purpose of establishing a company to carry on the business of life insurance in all its branches, and have represented that such a company would be of public benefit; and whereas it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. John Hoskin, the Honourable Samuel Casey Wood, Hugh Nickol Baird, Henry O'Hara, Joseph Wesley Flavelle and the Honourable William Harty, together with such persons as become members of and shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Imperial Life Assurance Company of Canada," hereinafter called "the Company."

Incorporation.
Corporate name.

2. The Company may effect contracts of insurance throughout Canada, and elsewhere, with any persons or corporations on life or lives, and may grant, sell or purchase annuities, and grant endowments, and generally carry on the business of life insurance in all its branches.

Powers and business of the Company.

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

Capital stock.

2. The directors may, after the whole capital stock has been subscribed and five hundred thousand dollars have been paid thereon in cash, increase the amount of the capital stock at any time, or from time to time, to an amount not exceeding two million dollars; but the stock shall not be increased until the resolution of the board of directors authorizing such increase has been first submitted to and confirmed by a majority

Increase of capital stock.

in number and amount of the shareholders, at an annual general meeting of the Company, or at a special meeting of the shareholders duly called for that purpose.

Provisional directors.

4. The persons whose names are set forth in the first section hereof, with such other persons, not exceeding six, as they associate with them, shall be provisional directors of the Company, and 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 shall withdraw the same for the purposes only of the Company, and may do generally what is necessary to organize the Company.

First meeting of shareholders.

5. So soon as three hundred thousand dollars of the capital stock of the Company have been subscribed and ten per cent of that amount paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at some place to be named in the city of Toronto, in the province of Ontario, at which general meeting the shareholders present in person 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 directors.

Election of directors.

Qualification of directors.

2. 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 Company, and has paid all calls due thereon and all liabilities incurred by him to the Company.

Calls on capital stock.

6. 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: Provided, that the Company shall not commence the business of insurance until sixty-two thousand five hundred dollars of capital stock have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act: Provided further, that the amount so paid in by any shareholder shall not be less than ten per cent upon the amount subscribed by such shareholder.

Proviso: when company may commence business.

Board of directors.

7. The affairs of the Company shall be managed by a board of not less than seven, nor more than twenty directors, of whom a majority shall be a quorum.

Annual general meeting.

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

9. Until otherwise determined by the directors, the head office of the Company shall be in the city of Toronto, and the directors may, from time to time, change the head office to some other place in Canada; and branches, sub-boards or agencies may be established, either within Canada or elsewhere, in such manner as the directors from time to time appoint.

Head office.

Branches.

10. The Company may invest its funds in the debentures, bonds, stocks or other securities of Canada, or of any province of Canada, or of any municipal corporation in Canada, or in debentures of any building society, loan or investment company, incorporated or doing business in Canada, or on the security of the policies of the Company, or on the security of any of the said debentures, bonds, stocks, securities or policies, or on the security of paid-up shares of any such building society, loan or investment company, and whether such debentures, bonds, stock, securities, policies or shares are assigned absolutely or conditionally, or by assignment in the nature of a charge or mortgage thereon to the Company, or to any officer of the Company or other person in trust for the Company, or on the security of real estate, or in or on mortgage security thereon, or on the security of leaseholds for a term or terms of years, or in ground rents on real estate or other estate or interests in real property or mortgage security thereon in any province of Canada; and in or upon any bonds or debentures of any of the states of the United States, or of any municipalities in the United Kingdom, or in the United States, or in mortgages on real estate therein; but the amount so invested in the United Kingdom shall not at any time exceed the reserve upon all outstanding policies in force in the United Kingdom, and the amount so invested in the United States shall not at any time exceed the reserve upon all outstanding policies in force in the United States; and such reserve in each case shall be calculated upon the basis prescribed by *The Insurance Act*; and may take, receive and hold all or any of such securities, in the name of the Company, or in the name of trustees as aforesaid for the Company, whether for funds invested by being advanced or paid in the purchase of such securities, or loaned by the Company on the security of any of such classes of property above referred to.

Investment of funds.

R.S.C., c. 124.

2. Any investment or loan above 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, as the directors from time to time determine, and either in satisfaction of, or as collateral security for, debts to the Company, or judgments recovered against any person or body corporate in its behalf, or in security for the payment thereof or of any part thereof.

Conditions of loans.

3. Provided further that the Company may take any additional security of any nature to further secure the repayment

Additional security.

of any liability to the Company, or to further secure the sufficiency of any of the securities upon which the Company is above authorized to lend any of its funds.

Investment in foreign securities.

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

Real estate mortgaged to the Company.

12. The Company may hold such real estate as is *bona fide* mortgaged to it by way of security, or conveyed to it in satisfaction of debts or of judgments recovered: Provided always, that all real estate so mortgaged or conveyed in security as aforesaid and acquired by the Company, shall be sold and disposed of within seven years from the time of its becoming the absolute property of the Company, otherwise it shall revert to the previous owner or to his heirs or assigns.

Power to hold real estate limited.

13. The Company may also acquire, hold, alienate, convey and mortgage any real estate required in part or wholly for the use and accommodation of the Company; but the annual value thereof, 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.

Dividends and bonuses.

14. The directors may, from time to time, set apart such portion of the net profits as they shall deem safe and proper, for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies, and distinguishing such part from the profits derived from other sources; and the holders of participating policies shall be entitled to share in that portion of the profits so set apart, which has been so distinguished as having been derived from participating policies, to the extent of not less than ninety per cent thereof; but no dividends or bonus shall at any time be declared or paid out of estimated profits, and the portion of such profits which remain undivided upon the declaration of a dividend, shall never be less than one-fifth of the dividend declared, and the directors shall not be obliged to allot such portion of profits to such holders of participating policies oftener than once in five years.

Holders of participating policies.

15. The Company may agree to give to holders of participating policies the right to attend and vote in person at all general meetings of the Company; and if the Company so determines then all persons who are actual holders of policies from the Company, whether such persons are shareholders of the Company or not, and who are by the terms of their policies entitled to participate in profits and are referred to in this Act as holders of participating policies, shall be members of the Company and be entitled to attend and vote in person at all general meetings of the Company, except at

those called for the purpose of increasing the capital stock of the Company (and shall not be entitled to vote by way of confirmation or against the confirmation of any by-law for the increase, issue, allotment or sale of capital stock of the Company); and every holder of a participating policy of the Company for a sum not less than one thousand dollars shall be entitled to one vote for each one thousand dollars in his policy.

2. A husband or father holding a participating policy on his life for the benefit of his wife or children shall be deemed a member of the Company.

16. The directors shall also have power, during any current dividend period, to charge the holders respectively of participating policies, with losses to the extent to which they have been credited with profits during such dividend period, if the losses require it, and retain the amount so charged out of such profits, or such profits as are declared as such, and credited to such holders of participating policies at any time; but the holders of policies shall not, as such, be liable to any other or greater extent than is expressed by the terms of their policies.

Power to charge losses to holders of participating policies.

17. Whenever any holder of a policy shall have paid three or more annual premiums thereon and shall fail to pay any further premium, or shall desire to surrender the policy, the premiums paid shall not be forfeited but he shall be entitled to receive a paid-up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum as the directors fix as the surrender value of the policy, such sum to be ascertained upon principles to be adopted by by-laws applicable generally to all such cases as may occur, provided he shall demand such paid-up and commuted policy or such cash payment while the original policy is in force, or within six months after his failure to pay a premium thereon.

Rights of certain policy holders.

18. 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 any Act amending it.

R.S.C., c. 124.

19. Notwithstanding anything contained therein or in any other Act, *The Companies Clauses Act*, except sections eighteen and thirty-nine thereof, shall extend and apply to the Company hereby incorporated, and shall be incorporated with and form part of this Act, in so far as it is not inconsistent with any of the provisions hereinbefore contained.

R.S.C., c. 118.



59 VICTORIA.

CHAP. 51.

An Act to amend the Act incorporating the Supreme Court of the Independent Order of Foresters.

[Assented to 23rd April, 1896.]

WHEREAS the Supreme Court of the Independent Order of Foresters (hereinafter called "the Society") has by its petition prayed for certain amendments to its Act of incorporation, and it is expedient to grant the prayer of the said petition and to amend the said Act in the manner hereinafter set forth: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. Section four of chapter one hundred and four of the Statutes of 1889 is hereby repealed and the following substituted therefor:—

1899, c. 104,
s. 4 repealed.

4. The value of the real property which the Society or any branch thereof may hold shall not exceed, in the case of the Society, three hundred and fifty thousand dollars, and, in the case of any branch, twenty-five thousand dollars, except in the city of Toronto where each branch may hold real property to the value of ten thousand dollars and no more; but in towns having less than six thousand inhabitants the value of such real property shall not, in the case of any one branch, exceed five thousand dollars; and the Society may, by by-laws, determine the manner in which such real property shall be held and conveyed, subject always to the laws of the province in which such real estate is situate."

Limitation as
to real pro-
perty.

2. Section six of the said Act is hereby amended by inserting after the word "shall" in the first line the words "subject to the provisions of section four hereof."

Section 6
amended.

3. Notwithstanding anything contained in the said Act, the Society may invest or deposit such portion of its funds in such government securities as is necessary for the maintenance of any branch outside the Dominion of Canada, provided that at no time shall more than one-fourth of the available surplus funds of the Society be invested outside of Canada.

Investment of
funds outside
of Canada.

Deposit with
government.

Constitutions
and laws to be
filed.

Amendments
to be filed.

Amendments
by Treasury
Board.

Yearly license
from govern-
ment.

Annual state-
ment to gov-
ernment.

Penalty for
failure to
make state-
ment.

Government
inspection.

4. Notwithstanding anything contained in any Act of the Parliament of Canada, it shall be lawful for the Society to make the deposit required by section thirty-nine of *The Insurance Act*, in the securities required by the said Act; provided that at the time of making the said deposit, the Society shall file the constitutions and laws of the Society with the superintendent of insurance, whereupon the said constitutions and laws shall be binding upon the Society and upon every member thereof: Provided also that in the event of the Society at any time thereafter amending the said constitutions and laws, such amendment shall forthwith after the adoption thereof by the Society be filed with the superintendent of insurance, and shall thereupon be binding upon the Society and upon every member thereof: Provided also that in case of contradictory or repugnant provisions in the said constitutions and laws, or in the case of provisions conflicting with any statute law in force in Canada, the Treasury Board may, after due notice to the executive body of the Society and hearing what they may have to allege, amend by order of the board the said constitutions and laws, and from the date of such amendment the constitutions and laws so amended shall be binding upon the Society and every member thereof.

2. Upon the Society making such deposit and filing its constitutions and laws as aforesaid, the Society shall be entitled to receive a license under *The Insurance Act*, renewable from year to year so long as the Society complies with the requirements of this Act, and with the provisions of the said *The Insurance Act* applicable thereto, to undertake with its members the contract or contracts of life, disability and sickness insurance specified in the said constitutions and laws for a sum or sums not exceeding, in addition to the sick and funeral benefits, the sum of five thousand dollars upon any one life.

3. On or before the first day of March in each year, the Supreme Chief Ranger and the Supreme Secretary of the Society shall transmit to the superintendent of insurance a statement verified by their own oath, of the condition and affairs of the Society, at the thirty-first day of December, then next preceding, which statement shall exhibit the assets and liabilities of the Society, and its income and expenditure during the previous year, and such other information as is deemed necessary by the Minister of Finance and Receiver General.

4. Any failure to make the said statement shall subject the Society to a penalty of ten dollars for each day during which such default continues; and such penalty shall be recoverable and enforceable with costs at the suit of Her Majesty instituted by the Attorney General of Canada.

5. The superintendent of insurance may from time to time examine or cause to be examined at its head office, the books, vouchers and securities of the Society, and its officers shall facilitate such examination so far as it is in their power; and

he may address any inquiries to the said officers in relation to the assets, investments, liabilities, doings or conditions of the Society, and it shall be the duty of the officers so addressed to promptly reply in writing to such inquiries.

6. Every certificate and policy issued by the Society shall contain a promise to pay the whole amount therein mentioned out of the mortuary funds of the Society, and out of any moneys realized from assessments to be made for that purpose; and the Society shall be bound forthwith and from time to time to make assessments to an amount adequate with its other available funds to pay all obligations created under every such certificate or policy heretofore issued or hereafter to be issued without deduction or abatement.

Payment of certificates and policies.

7. Every application, policy and certificate issued or used by the Society in Canada shall have printed thereon in a conspicuous place, in ink of a colour different from that of the ink used in the instrument, and in good sized type, the following words:—"This Society is not required by law to maintain the reserve which is required of ordinary life insurance companies."

Notice to be printed on policies, &c.

8. The words "assessment system" shall be printed in large type at the head of every policy and every application for the same, and also in every circular and advertisement issued or used in Canada in connection with the business of the Society.

Words to be printed on policies, &c.

5. Sections eight, nine and eleven of the said Act of incorporation are hereby repealed.

Sections 8, 9, and 11 repealed.

6. The Society shall not, after the date of the passing hereof, assure to any member a certain annuity, either immediate or deferred, whether for life or for a term of years, or any endowment whatever.

Annuities and endowments prohibited.

7. In addition to the deposit required by section four of this Act, the Minister of Finance, upon the report of the superintendent of insurance, approved by the Treasury Board, may from time to time require such other and further deposit as is recommended in such report and so approved, to be made by the Society or deposited with trustees, to be named by the Treasury Board, upon such trusts as are determined by the Governor in Council, provided that the amount of the deposits that may be required of the Society under section four and by this section shall not exceed in all the sum of five hundred thousand dollars.

Further deposit, if required.

8. So much of the Act referred to in the first section of this Act as is inconsistent with the provisions of this Act is hereby repealed, and so much of the provisions of the existing constitutions and laws, including the general laws, of the Society as are inconsistent with this Act are hereby declared to be null and void.

Inconsistent provisions repealed.

Future legis-
lation.

9. Nothing herein contained shall be held to exempt the Society from the effect of any legislation hereafter passed by the Parliament of Canada in respect to assessment or other insurance.

Liability of
members for
assessments,
&c.

10. The liabilities of any member of the Society shall be limited to the assessments, dues, fees, capitation tax and fines of which, at the date at which he ceases to be a member by withdrawal, expulsion, suspension or non-payment of assessments or dues or otherwise, notice has been actually given by the Society, or which under its constitutions and laws have matured and become due: Provided that no member, or his beneficiary, shall be entitled to any pecuniary benefit of the Society during the time such member is in default with respect to the payment of any assessments, dues, fees, capitation tax or fines; and the provisions of this section shall be printed on each and every policy issued by the Society.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's
most Excellent Majesty.



59 VICTORIA.

CHAP. 52.

An Act to incorporate the National Sanitarium Association.

[Assented to 23rd April, 1896.]

WHEREAS the establishment of a public institution or institutions for the isolation, treatment and cure of persons affected with pulmonary disease would be a work for the general advantage of Canada, and whereas the persons hereinafter named have by their petition prayed that they and such other persons as are associated with them in the said undertaking may be incorporated under the name of "The National Sanitarium Association," for the purposes and with the powers hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Walter Edward Hart Massey, of Toronto, Sir Donald Smith, of Montreal, William James Gage, of Toronto, James Ross, of Montreal, the Honourable William Ralph Meredith, George Albertus Cox, the Honourable George William Ross, Edward Gurney, Hugh Blain, Newton Albert Powell and Daniel Edmund Thomson, all of Toronto, together with such persons as become associated with them as hereinafter mentioned, are hereby constituted a body politic and corporate under the name and style of "The National Sanitarium Association," hereinafter called "the Corporation," with power to establish, equip, maintain and conduct, in such place or places within Canada as are decided upon as hereinafter mentioned, public institutions for the isolation, treatment and cure of persons affected with pulmonary disease, and with power to acquire by gift, purchase or otherwise, moneys and property, and hold for the use of the Corporation moneys and personal property of all kinds, also such real property as may be necessary for the purposes of the Corporation: Provided always that 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 purposes of the Corporation; and with all such other powers and rights as are incident to such undertaking.

Preamble.

Incorporation.

Corporate name and powers.

Powers as to property.

As to real
estate mort-
gaged to it.

2. The Corporation may also hold such real estate as is mortgaged to it by way of security, or conveyed to it in satisfaction of debts or judgments recovered : Provided always that all real estate so mortgaged or conveyed in security as aforesaid, and acquired by the Corporation, shall be sold and disposed of within seven years from the time of its becoming the absolute property of the Corporation, otherwise it shall revert to the previous owner or to his heirs or assigns.

Trustees.

By-laws.

3. The management of the property and affairs of the Corporation shall be vested in eleven or more trustees, appointed as hereinafter mentioned, who may make by-laws for the following purposes:—For the reception, isolation, treatment, and dismissal of patients in the institutions hereby authorized, the employment, training and discipline of medical, surgical and other attendants, nurses and officials, the attendance upon and visitation of patients by members of the medical profession or of other scientific or educational institutions or faculties, and for all other things pertaining to the management and conduct of the institutions ; for the management of all the properties and moneys of the Corporation, including the investment of moneys, the variation and calling in of investments and the re-investment thereof, the expenditure of the proceeds of investments, and of all other moneys available for the support and maintenance of the institutions ; for the admission of associate members of the Corporation, and for determining and regulating the terms of admission of such members ; for increasing the number of trustees to such larger number than eleven as they deem advisable, and for determining and regulating the qualifications and mode of appointment of additional trustees, and of trustees to fill vacancies as hereinafter mentioned ; for regulating the meetings and proceedings of the trustees, and for determining the number of trustees required to constitute a quorum ; and, generally, for the administration of all the affairs of the Corporation.

First trustees.

4. The persons named in the first section of this Act shall be the first trustees of the Corporation.

Vacancies
among trus-
tees.

5. The office of trustee shall *ipso facto* become vacant by the resignation, death, insanity, or conviction of an offence against the criminal law of Canada, of any trustee ; and the remaining trustees may forthwith appoint from among the persons possessing the necessary qualifications a trustee to fill such vacancy.

Head office.

6. The head office of the Corporation shall be at the city of Toronto, or at such other place as is from time to time determined by the trustees.



59 VICTORIA.

CHAP. 53.

An Act respecting the Canadian Jockey Club.

[Assented to 23rd April, 1896.]

WHEREAS the Canadian Jockey Club (Limited) was Preamble. incorporated by letters patent granted under the Great Seal of Canada, bearing date the sixth day of November, eighteen hundred and ninety-five for the promoting and holding of exhibitions for the purpose of improving the breed of horses, for regulating and managing race meetings and exhibitions of horses throughout Canada, and for other purposes and objects connected therewith, as set forth in the said letters patent, and the said Club has been duly organized; and whereas the said Club has by its petition prayed among other things that its name be changed to "The Canadian Jockey Club" and that it be authorized to make and enforce by-laws, rules and regulations and adopt other means for the attainment of the objects hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The letters patent set out in the schedule to this Act and granted under *The Companies Act*, chapter one hundred and nineteen of the Revised Statutes of Canada, to the Canadian Jockey Club (Limited), are hereby ratified and confirmed and held as binding as if originally granted by an Act of the Parliament of Canada, and the said Club shall have all the powers thereby conferred and shall be subject to the provisions of *The Companies Act*, and all proceedings taken by the Club in virtue thereof are hereby declared to be as valid and binding as if the powers granted by the said letters patent had been originally granted by an Act of the Parliament of Canada. Letters patent confirmed.

2. The name of the said Club is hereby changed to "The Canadian Jockey Club"; but such change in name shall not in any way impair, alter or affect the powers, rights or liabilities of the Club, or any lien or charge upon its property or franchises, nor in any wise affect any suit or proceeding now pending Name changed. Existing rights not to be affected.

ing or judgment existing, either by, in favour of or against the Club, which, notwithstanding such change in the name of the Club, may be prosecuted or continued and completed and enforced as if this Act had not been passed.

Club committee.

3. Hereafter the affairs of the Club shall be administered by a club committee instead of by a board of directors; and in addition to the powers conferred by this Act the committee shall have all the powers of a board of directors as contained in the said letters patent and *The Companies Act*.

Constitution of first committee.

4. The first club committee shall consist of William Hendrie, James M. Lottridge, and William Hendrie, jun., all of the city of Hamilton, in the province of Ontario, Andrew Smith, Robert Davies, and George W. Beardmore, all of the city of Toronto, in the said province, John Davis, and George M. Hendrie, both of the city of Windsor, in the said province, Adam Beck, of the city of London in the said province, and James P. Dawes, James H. Wardlow, and H. Montague Allan, all of the city of Montreal, in the province of Quebec, being the present board of directors of the Canadian Jockey Club (Limited).

Annual election of committee.

2. The club committee shall consist of twelve members of the Club and shall be elected as members of the club committee by the shareholders annually at the annual general meeting of the Club, to be held on the last Wednesday in the month of May; and, in addition to that number, each duly incorporated racing company and club in Canada, being the owner or lessee of a race track, and each duly incorporated hunt club in Canada, upon affiliation with the Club, shall be entitled to have one member on the club committee, which member shall be elected or appointed in such manner as each such racing company or club or hunt club decides on or before the date of the said annual meeting, and each such racing company or club or hunt club may become so affiliated upon giving to the Club a written notice to that effect, and upon the payment of the regular fees, and upon complying with all such general regulations of the Club as are in force with respect to affiliation; provided that if any affiliated club is at any time expelled, it shall not again be entitled to affiliation except with the consent of at least three-fourths of the whole committee.

Election in 1896

3. The next club committee shall be elected in the manner above provided on or before the last Wednesday in the month of May, eighteen hundred and ninety-six.

Failure to elect committee, how remedied.

4. If at any time the election of that portion of the club committee to be elected by the shareholders of the Club, is not made at the proper time, or if for any cause the annual general meeting of the Club is not held on the appointed date, neither the Club nor the committee shall be held to be thereby dissolved, but such general meeting and such election may take

place at any subsequent time appointed by the club committee, of which due notice shall be given, and the shareholders of the Club on such committee shall continue in office until their successors are elected.

5. The club committee may, by by-law passed by a two-thirds vote, change the date of the annual meeting of the Club. Date of election.

5. The club committee shall have full power to enact and enforce by-laws, rules and regulations with respect to— Power to make by-laws.

(a.) the qualification and election of members of the Club; the appointment, removal and defining the functions and duties of all officers, stewards and servants of the Club, and their remuneration; the time and place of holding meetings of the Club and of the club committee, and the procedure in all things at such meetings; the suspension, expulsion, disciplining and re-admission of members and affiliated companies and clubs; and generally all things appertaining or necessary to the internal organization or management of the Club;

(b.) the number, duration, time and period of all race meetings to be held on the race track or tracks of the Club, and on the race track or tracks of any incorporated company or club affiliated with the Club;

(c.) the promoting, holding and controlling of contests, race meetings and exhibitions of horses held on the race track or tracks of the Club, or on the race track or tracks of any incorporated company or club affiliated with the Club;

(d.) the preservation of order at any such contest, race meeting or exhibition;

(e.) the investigation of the pedigree of horses and the institution, maintenance and publication of a stud book or book of registry of thoroughbred horses in Canada;

(f.) the issue and revocation of licenses to, and the disqualification of, jockeys and trainers riding or training on the race track or tracks of the Club, or on the race track or tracks of any incorporated company or club affiliated with the Club;

(g.) the promulgation and enforcement of a uniform code of racing rules for general use throughout Canada on the track or tracks of the Club or on the track or tracks of any incorporated company or club affiliated with the Club, subject to repeal or alteration by the Club; and

(h.) generally, with respect to all other matters necessary for the attainment of the objects set forth in this Act.

6. The by-laws of the Club, after notice thereof has been duly published in one issue of *The Canada Gazette*, and a copy thereof has been mailed to every incorporated company or club affiliated with the Club, shall have the same force and effect and be as binding upon all persons and corporations as if set forth in this Act. Force of by-laws.

7. This Act shall not apply to race meetings held for trotting and pacing races only, or to races held upon any fair or exhibition Application of Act.

exhibition grounds, under the auspices of any municipal or other corporation duly authorized to hold the same, and while such fair or exhibition is in progress.

Constables on
race-tracks.

S. Constables and peace officers appointed under the laws of Canada or of any province shall, at all times, have access to the race tracks and racing grounds of the Club, and of any company or club affiliated with it, for the purpose of ascertaining whether the laws in connection with racing or betting or otherwise are being duly observed therein, or for the purpose of enforcing the due observance of such laws.

SCHEDULE.

JOHN J. MCGEE,
Deputy Governor.

CANADA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

To all to whom these Presents shall come, or whom the same may in anywise concern :

GREETING :

Whereas, in and by the Revised Statutes of Canada, chapter 119, and known as "The Companies Act," it is, amongst other things, in effect enacted, that the Governor in Council may, by Letters Patent, under the Great Seal, grant a charter to any number of persons, not less than five, who petition therefor, constituting such persons, and others who thereafter become shareholders in the Company thereby created, a body corporate and politic, for any of the purposes or objects to which the legislative authority of the Parliament of Canada extends, except the construction and working of railways, or the business of banking and the issue of paper money, or the business of insurance, upon the applicants therefor establishing to the satisfaction of the Secretary of State, or of such other officer as may be charged by the Governor in Council to report thereon, due compliance with the several conditions and terms in and by the said Act set forth and thereby made conditions precedent to the granting of such charter.

And whereas William Hendrie, contractor, and James M. Lottridge, brewer, both of the city of Hamilton in the province of Ontario; John Davis, customs official, and George M. Hendrie, contractor, both of the city of Windsor in the said province; Andrew Smith, veterinary surgeon, Robert Davies, brewer, and George W. Beardmore, merchant, all of the city of Toronto in said province of Ontario; Adam Beck, of the city of London in said Province, merchant, and James P. Dawes, brewer, and James H. Wardlow, merchant, both of the city of Montreal in the province of Quebec, all in our

Dominion of Canada, have petitioned for a charter under the said Act, constituting them and such others as may become shareholders in the Company thereby created, a body corporate and politic, under the name of "The Canadian Jockey Club (Limited)," for the purposes hereafter mentioned, and have established to the satisfaction of the Secretary of State for Canada (no other officer having been charged by the Governor in Council to report thereon), due compliance with the several conditions and terms above referred to.

And whereas, among other things, it is in the notice of this application and in the said petition averred, and it has been established, that the amount of the capital stock of the intended Company is ten thousand dollars, divided into two hundred shares of fifty dollars each, that the said William Hendrie and James M. Lottridge have each taken ten shares of the said stock and have each paid in thereon the sum of fifty dollars. That the said John Davis and George M. Hendrie have each taken ten shares of the said stock and have each paid in thereon the sum of fifty dollars. That the said James P. Dawes and James H. Wardlow have each taken ten shares of the said stock and have each paid in thereon the sum of fifty dollars. That the said George W. Beardmore and Adam Beck and Robert Davies have each taken ten shares of the said stock and have each paid in thereon the sum of fifty dollars. That the said Andrew Smith has taken twenty shares of the said stock and has paid in thereon the sum of one hundred dollars.

That the aggregate of the capital stock taken is five thousand five hundred dollars, and the aggregate paid in thereon is five hundred and fifty dollars. Such aggregate has been paid in to the credit of Andrew Smith and Robert Davies as trustees for the said Company in the Dominion Bank in the city of Toronto aforesaid, being a chartered bank in Canada, and is now standing at such credit.

Now Know Ye, that, by and with the advice of Our Privy Council for Canada, and under the authority of the hereinbefore in part recited Act, and of any other power and authority whatsoever in Us vested in this behalf, We do, by these Our Letters Patent, constitute the said William Hendrie, James M. Lottridge, John Davis, George M. Hendrie, James P. Dawes, James H. Wardlow, George W. Beardmore, Andrew Smith, Adam Beck, and Robert Davies, and all others who may become shareholders in the said Company, a body corporate and politic, by the name of "The Canadian Jockey Club (Limited)" with all the rights and powers given by the said Act, and for the following purposes, namely:—

The investigating, ascertaining and keeping a record of the pedigree of horses, the instituting, maintaining, controlling and publishing of a Stud Book or Book of Registry of Horses in Canada, the promoting and holding of exhibitions for the purposes of improving the breed of horses, the holding of

contests, race meetings and other exhibitions of horses, the acquiring and maintaining of grounds and premises for the purposes of the club, with power to make by-laws, rules and regulations not inconsistent with the laws of Canada or of any of the provinces thereof, and affected thereby, for the regulation and management of race meetings and exhibitions and the preservation of order, and to enter into agreements with any one or more jockey clubs in Canada in reference to such meetings and exhibitions, and for the purposes of effectively carrying out the objects of the club.

That the place within the Dominion of Canada which is to be the chief place of business of the said Company, is the city of Toronto in the province of Ontario. The capital stock of the said Company shall be ten thousand dollars, divided into two hundred shares of fifty dollars each, subject to the increase of such capital stock under the provisions of the said Act.

That the said William Hendrie, James M. Lottridge, John Davis, George M. Hendrie, James P. Dawes, James H. Wardlow, George W. Beardmore, Andrew Smith, Adam Beck and Robert Davies, are to be the first or the provisional directors of the Company.

Provided always, that nothing in these presents, expressed or contained, shall be taken to authorize the construction or working of railways, or the business of banking, and the issue of paper money, or the business of insurance by the said Company.

In testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: John Joseph McGee, Esquire, Deputy of Our Right Trusty and Right Well Beloved Cousin and Councillor The Right Honourable Sir John Campbell Hamilton-Gordon, Earl of Aberdeen, Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie in the Peerage of Scotland, Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom, Baronet of Nova Scotia, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, etc., etc., Governor General of Canada.

At Our Government House, in Our City of Ottawa, this sixth day of November in the year of Our Lord one thousand eight hundred and ninety-five, and in the fifty-ninth year of Our Reign.

By command,

L. A. CATELLIER,

Under Secretary of State.

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