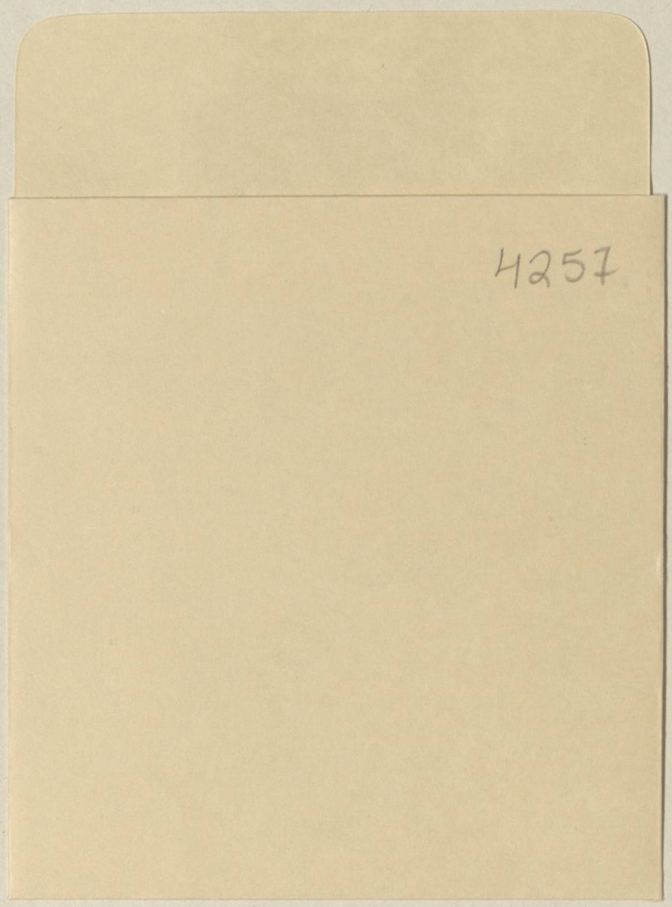
4257

KE
72
C38
12-1
Bill A-

Hof C—

S E N A T E

B I L L S

---

1 9 1 1 - 1 2

The following Bills are amissing from this Volume:-

Bill	T	3rd	Reading	Form
"	Z	"	"	"
"	K 3	2nd	"	"

L.P.

PARLIAMENTARY COUNSEL
1911-12
Senate
Bills
HOUSE OF COMMONS

1st Session, 12th Parliament, 2 George V., 1911

THE SENATE OF CANADA.

BILL A.

An Act respecting the Pollution of Navigable Waters.

WHEREAS it is expedient to make provision for the prevention of the pollution of navigable waters: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. In this Act the expression "the Minister" means the Minister of Agriculture. Interpretation.

2. Every person is guilty of an offence against this Act and liable on summary conviction to the penalties hereinafter provided, who puts, or causes or permits to be put, or to fall, flow, or to be carried into any navigable water, or into any other water any part of which is navigable or flows into any navigable water,— Prohibition of placing sewage and other refuse matter in navigable waters, except according to regulations.

(*a*) any solid or liquid sewage matter; or,

(*b*) any other solid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse, or waste; or

(*c*) any liquid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse or waste;

unless such matter, whether solid or liquid, is disposed of in accordance with regulations or orders made or permits granted under the authority of this Act.

2. A person, other than a municipal or sanitary authority, shall not be guilty of an offence under this section in respect of the passing of sewage matter into a drain communicating with any sewer belonging to or under the control of any municipal or sanitary authority, if he has the sanction of the municipal or sanitary authority for such passing Exception of private persons using public sewers.

3. Every corporation convicted of an offence against this Act or of a violation of any regulation or order made or permit granted under the authority of this Act shall be liable to a fine not exceeding five hundred dollars and an Penalties. Corporations.

additional amount of fifty dollars for each day the offence continues.

Individuals.

2. Every person, other than a corporation, who is convicted of any such offence or violation shall be liable to a fine not exceeding fifty dollars and an additional amount of ten dollars for each day the offence continues, or to imprisonment not exceeding two months, or to both such fine and imprisonment.

Disposal of fines recovered.

3. All sums of money recovered under this section shall be paid into the Consolidated Revenue Fund of Canada and shall be applied in such manner as is by the Governor in Council deemed best adapted to promote the objects of this Act and to secure its due administration.

Regulations by Governor in Council.

4. The Governor in Council may make such regulations, general or special, as are requisite or expedient to carry out the purposes and intent of this Act; and the said regulations shall have force and effect as of and from the date of the publication thereof in *The Canada Gazette*.

Authorities and officers for enforcement of Act.

2. The Minister may appoint such officers as he deems necessary to carry out and enforce the provisions of this Act, and may also designate any existing board of health or sanitary authority, or other person, for such purposes.

Order and permits by Minister

3. The Minister may make such orders and grant such permits as are provided for in such regulations.

Appeal from Minister's order, etc.

5. Any order or decision of the Minister under the regulations provided for in this Act shall be subject to an appeal to the superior court of original jurisdiction in the province in which such order or decision is to be enforced; and the said superior court shall have power to affirm, set aside or vary such order or decision; but pending the final determination of any such appeal the order or decision appealed from shall stand and be binding and the execution thereof shall not be stayed.

Form of appeal.

2. The appeal shall be in the form of a special case to be agreed upon by both parties, or their attorneys, and if they cannot agree, to be settled by a judge of the said superior court upon the application of one of the parties or his attorney.

Enforcement of orders.

6. The superior court of original jurisdiction in the province in which an offence against this Act has been committed or in which any order or decision given under this Act by the Minister or by the said superior court is to be enforced, may, by summary order, require any corporation, municipality or person to abstain from the commission of such offence or to comply with such order or decision, and generally may give such directions for carrying such order or decision into effect as to the court seems meet.

Procedure in courts.

7. Subject to the provisions of this Act, and in so far as they are not incompatible therewith, all enactments, rules and orders relating to proceedings in the superior courts of original jurisdiction in the several provinces or appeals thereto, shall apply to proceedings had or appeals taken under this Act in the same manner as if such proceedings or appeals related to a matter within the ordinary jurisdiction of the said courts.

Power to Governor in Council to exempt certain waters from operation of Act.

8. The Governor in Council, when it is shewn to his satisfaction that the public interest will not be injuriously affected thereby, and with due regard to the interests involved and to the circumstances, means and requirements of the locality or district, may, from time to time, by proclamation published in *The Canada Gazette*, declare any such waters, or part or parts thereof, exempted in whole or in part from the operation of this Act, and on such conditions and terms as he may prescribe, and may, from time to time, revoke such proclamation.

Date of operation of Act.

9. Sections 2 and 3 of this Act shall not come into force until such date as is appointed therefor by the Governor in Council by proclamation published in *The Canada Gazette*.

1st Session, 12th Parliament, 2 George V., 1911.

THE SENATE OF CANADA.

BILL

A

An Act respecting the Pollution of Navigable Waters.

Received and read a first time

Thursday, 16th November, 1911.

Second reading

Wednesday, 22nd November, 1911.

Honourable MR. BELCOURT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL A.

BILL AS PASSED FEBRUARY 13, 1912.

An Act respecting the Pollution of Navigable Waters.

WHEREAS it is expedient to make provision for the prevention of the pollution of navigable waters: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. In this Act the expression "the Minister" means the Minister of Agriculture. Interpretation.

2. Every person is guilty of an offence against this Act and liable on summary conviction to the penalties hereinafter provided, who puts, or causes or permits to be put, or to fall, flow, or to be carried into any navigable water, or into any other water any part of which is navigable or flows into any navigable water,— Prohibition of placing sewage and other refuse matter in navigable waters, except according to regulations.

(*a*) any solid or liquid sewage matter; or,

(*b*) any other solid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse, or waste; or

(*c*) any liquid matter which, not being sewage, is poisonous, noxious, putrid, decomposing, refuse or waste;

unless such matter, whether solid or liquid, is disposed of in accordance with regulations or orders made or permits granted under the authority of this Act.

2. A person, other than a municipal or sanitary authority, shall not be guilty of an offence under this section in respect of the passing of sewage matter into a drain communicating with any sewer belonging to or under the control of any municipal or sanitary authority, if he has the sanction of the municipal or sanitary authority for such passing Exception of private persons using public sewers.

Penalties. Corporations.

3. Every corporation convicted of an offence against this Act or of a violation of any regulation or order made or permit granted under the authority of this Act shall be liable to a fine not exceeding five hundred dollars and an additional amount of fifty dollars for each day the offence continues.

Individuals.

2. Every person, other than a corporation, who is convicted of any such offence or violation shall be liable to a fine not exceeding fifty dollars and an additional amount of ten dollars for each day the offence continues, or to imprisonment not exceeding two months, or to both such fine and imprisonment.

Disposal of fines recovered.

3. All sums of money recovered under this section shall be paid into the Consolidated Revenue Fund of Canada and shall be applied in such manner as is by the Governor in Council deemed best adapted to promote the objects of this Act and to secure its due administration.

Regulations by Governor in Council.

4. The Governor in Council may make such regulations, general or special, as are requisite or expedient to carry out the purposes and intent of this Act; and the said regulations shall have force and effect as of and from the date of the publication thereof in *The Canada Gazette*.

Authorities and officers for enforcement of Act.

2. The Minister may appoint such officers as he deems necessary to carry out and enforce the provisions of this Act, and may also designate any existing board of health or sanitary authority, or other person, for such purposes.

Order and permits by Minister

3. The Minister may make such orders and grant such permits as are provided for in such regulations.

Appeal from Minister's order, etc.

5. Any order or decision of the Minister under the regulations provided for in this Act shall be subject to an appeal to the superior court of original jurisdiction in the province in which such order or decision is to be enforced; and the said superior court shall have power to affirm, set aside or vary such order or decision; but pending the final determination of any such appeal the order or decision appealed from shall stand and be binding and the execution thereof shall not be stayed.

Form of appeal.

2. The appeal shall be in the form of a special case to be agreed upon by both parties, or their attorneys, and if they cannot agree, to be settled by a judge of the said superior court upon the application of one of the parties or his attorney.

Enforcement of orders.

6. The superior court of original jurisdiction in the province in which an offence against this Act has been committed or in which any order or decision given under this Act by the Minister or by the said superior court is to be enforced, may, by summary order, require any corporation,

municipality or person to abstain from the commission of such offence or to comply with such order or decision, and generally may give such directions for carrying such order or decision into effect as to the court seems meet.

Procedure in courts.

7. Subject to the provisions of this Act, and in so far as they are not incompatible therewith, all enactments, rules and orders relating to proceedings in the superior courts of original jurisdiction in the several provinces or appeals thereto, shall apply to proceedings had or appeals taken under this Act in the same manner as if such proceedings or appeals related to a matter within the ordinary jurisdiction of the said courts.

Date and mode of operation of Act.

8. Sections 2 and 3 of this Act shall not come into operation as to any area, district or locality, until a date to be appointed by the Governor in Council by proclamation published in *The Canada Gazette* and in such other way as may be deemed advisable. Such proclamation shall also describe clearly such area, district or locality.

2. The Governor in Council may from time to time as he deems advisable issue proclamations published as aforesaid bringing such sections 2 and 3 into operation as to additional areas, districts or localities.

3. Any proclamation issued under this Act may be revoked or amended from time to time, such revocation or amendment to be made known by proclamation published as aforesaid.

1st Session, 12th Parliament, 2 George V., 1911

THE SENATE OF CANADA.

BILL B.

An Act to provide for the incorporation of Railway Companies.

Preamble.

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

Formation of association.

1. Any number of persons, not fewer than seven, of the full age of twenty-one years, who desire to be incorporated for the purposes of constructing, maintaining and operating a railway which is within the legislative jurisdiction of the Parliament of Canada, may, by agreement in writing, form themselves into an association for those purposes, and, upon complying with the provisions of this Act, may obtain letters-patent creating them and their successors a corporation with all the powers and privileges, and subject to all the obligations and restrictions, contained in *The Railway Act* and in any other general Act relating to railways.

R.S., c. 37.

Contents of agreement.

2. The agreement of association shall contain the following particulars:—

Name of corporation.

(*a*) the proposed name of the corporation, which name shall not be that of any other known company, incorporated or unincorporated, or any name likely to be mistaken therefor, nor otherwise, on grounds of public policy or convinience, objectionable, and shall end with the words "Railway Company;"

Terminals.

(*b*) the terminal points of the proposed railway, and as nearly as may be estimated, its length in miles;

Route.

(*c*) the proposed route, with the name of each county, city, town, village and municipality through, into or near which it is proposed to build the railway;

Gauge.

(*d*) the gauge of the railway, which shall be four feet, eight inches and one-half of an inch;

Capital.

Shares.

(*e*) the amount of the capital stock of the corporation, which shall not be less than ten thousand dollars for each mile of the estimated length of the railway, and shall be divided into shares of one hundred dollars each;

Subscribed shares.

(*f*) the number of shares of capital stock which each associate agrees to take; but an associate shall not be bound by such agreement to pay more than ten per cent upon such shares unless the corporation is duly created;

Head office.

(*g*) the place where the head office of the corporation is to be;

Provisional directors.

(*h*) the names, residences, occupations and post office addresses of at least seven persons to act as provisional directors. These must be subscribers to the agreement and a majority of them resident in Canada; they may fill any vacancy occurring among their number; and shall appoint a secretary and a treasurer who shall hold office until their successors are appointed by the corporation if created, the same person may be appointed both secretary and treasurer;

Secretary and Treasurer.

(*i*) the name, residence, occupation and post office address of the secretary and of the treasurer of the association.

Execution of agreement.

2. The agreement shall be signed with the full name of and be sealed by each associate, who shall, opposite his signature, state his residence, occupation and post office address, and the place and date of his signature. Each signature shall be duly witnessed by one witness, whose full, name residence and occupation shall be stated.

Notice of agreement.

3. Before proceeding to examine and survey the route of the proposed railway the provisional directors shall cause notice of the agreement of association to be given as follows:—

By publication in official and local newspapers.

(1) By publication of a copy thereof, at least once a week for six consecutive weeks,—

(*a*) in *The Canada Gazette*, and

(*b*) in the official Gazette of any province in which the proposed railway or any part thereof is to be constructed; and

(*c*) in at least one newspaper in each city, town or village through, into or near which the proposed railway is to be constructed, and in which there is a newspaper published.

By letter.

(2) By sending by registered letter a copy of the agreement of association to the clerk of each county or district council, and of each city, town, village or other municipal corporation, which may be specially affected by the construction or operation of the proposed railway.

English and French.

2. In the provinces of Quebec and Manitoba, the notice shall be given in both the English and French languages.

Proof.

3. A statutory declaration by the secretary of the association that any provision of this section has been duly compiled with shall be *prima facie* proof of such compliance.

4. After the notice required by section 3 of this Act has been duly given, the directors may cause an examination and survey of the route of the proposed railway to be made; and for that purpose they or their agents may enter upon any lands along or adjacent to such route, and do all things necessary. Examination and survey.

2. In the exercise of the powers granted by this section as little damage as possible shall be done and full compensation shall be made to all persons interested for all damages by the exercise of such powers. Damages and compensation therefor.

5. The provisional directors shall cause to be made by a competent engineer, from actual examination and survey, a plan, profile, report and estimate of cost, on such scales and containing such information and in such detail, as may be required by regulations in that behalf to be made, by the Board of Railway Commissioners for Canada, or as may be required by special order of the Board made when necessary. Plan profile report and estimate of cost.

2. The plan, profile, report and estimate shall contain generally all necessary information as to— Information to be given thereby.

(*a*) the character of the country through which the proposed railway is to pass and the feasibility of the proposed route;

(*b*) the proposed gradients;

(*c*) all existing railways and highways to be crossed and the mode of crossing proposed in each case;

(*d*) all rivers, streams and watercourses, to be crossed or diverted, specially distinguishing such as are navigable waters, and giving in each case the nature and estimated cost of the proposed bridge, tunnel, ferry or other means of crossing, or of the proposed diversion;

(*e*) the kind and amount of excavation, embankment, masonry and other sorts of work;

(*f*) full information as to the manner of constructing the proposed railway and the standard to be adopted therefor both as to its construction and equipment.

(*g*) everything necessary to enable the Board of Railway Commissioners for Canada to determine whether the certificate provided for by this Act should be granted by the Board.

6. Within twelve months after the last publication of the notice of agreement of association the provisional directors may apply to the Board of Railway Commissioners for Canada for a certificate that the public interest requires that a railway should be constructed as proposed in the agreement of association. Application to Board of Railway Commissioners for certificate.

What to be submitted,

2. With such application there shall be submitted to the Board—

(*a*) the original agreement of association, and as many copies thereof as the Board may require;

(*b*) proof that the preceding provisions of this Act have been complied with;

(*c*) proof that responsible persons have in good faith subscribed the amount of capital stock required by this Act, and that at least twenty-five cent on the amount so subscribed has been actually paid in cash into some chartered bank in Canada to the credit of the association to be used only for the purposes of the agreement of association;

(*d*) proof that the necessary notice has been published and given as required by this Act;

(*e*) the plan, profile, report and estimate of cost required by this Act;

(*f*) a statutory declaration, made by at least the majority of the provisional directors and by the secretary of the associarion, as to the truth of all essentials required by this Act and that it is in good faith intended by the association to locate, construct, maintain, equip and operate the railway on the proposed route.

Orders by Board.

3. The Board may order such further information or proof of any alleged fact to be afforded as in its discretion may be requisite.

Form and vertfication.

4. Any information or proof required by this Act or by the Board in pursuance of this Act shall be given in such form, and shall be verified in such way, by statutory declaration or otherwise, as the Board may prescribe either by general regulation or by special order.

Requirements for issue of certificate.

7. If the Board is satisfied—

that the requirements of this Act, and of all regulations and orders made under this Act by the Board, have been complied with as regards all matters preliminary to the making of the application and as regards the application; and—

that the amount mentioned in the next preceding section of this Act has been paid in good faith as required by that section, and such further amount has been so paid as in the opinion of the Board is necessary to pay all damages, immediate or consequential, caused by the laying out or building of the railway or by the taking of any lands or material therefor; and—

that sufficient security has been given, by bond or otherwise, that the said amount shall not be withdrawn for any purposes other than those of the agreement of association; and—

that the construction and operation of the proposed railway will be in the public interest;

the Board shall issue a certificate setting forth that the provisions of this Act have been complied with and recommending that the associates be incorporated under this Act, under such name, with such powers, and subject to such provisions, as the Board may, in pursuance of this Act, determine. Issue of certificate.

8. If the Board is not so satisfied, it shall refuse to issue such certificate, but the associates may within one year from such refusal apply again for a certificate. Refusal of certificate.

9. Before issuing the certificate the Board shall determine all such matters relating to the following subjects as are not provided for by *The Railway Act*— Matters to be settled by the Board. R.S., c. 37.

(*a*) the persons to be incorporated; Corporators.

(*b*) the corporate name to be given to the corporation; Name.

(*c*) the provisional directors; Directors.

(*d*) the capital stock; Capital.

(*e*) the head office; Head office.

(*f*) the annual meeting of the corporation; Annual meeting.

(*g*) the route of the proposed railway, as towhich the Board may impose such conditions and restrictions as the Board deems advisable in the interest of the public or of any municipality; Route.

The route fixed by the Board may include such lines, branches or spurs within municipalities as may be necessary for carrying on the corporation's business; but no such line, branch or spur shall be located or constructed without the consent of the proper municipal authority, which in giving such consent may impose such conditions and restrictions as to the location, construction or use thereof as are agreed upon between the provisional directors, or the directors, and the municipal authority; and the corporation shall be liable to the municipality for all damage or loss caused to the municipality by such location, construction or use, or by the negligence or default of the corporation, its agents or workmen; Municipalities.

(*h*) the amount of bonds, debentures or other securities which may be issued. This shall be fixed at a certain rate per mile of the railway, and such issue shall be authorized to be made only in proportion to the length of railway constructed or under contract to be constructed, and on the express condition that all moneys realized from such issue shall be used for no other purpose than the construction, equipment, Issue of securities.

maintenance and operation of the railway, and that if by any court of competent jurisdiction it is found that this condition has not been fulfilled, that court shall order the corporation to pay an amount equal to the moneys so diverted from their proper use, which amount shall be paid into the consolidated revenue fund of Canada;

Agreements with other companies.

(*i*) the other railway companies with which, if it so desires, the corporation may, subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, enter into agreements for any of the purposes specified in section 361 of that Act.

Additional powers.

10. When in the opinion of the Board it would be for the public interest that the powers hereinafter mentioned, or any of them, should be conferred upon the corporation, and that such powers are necessary for the effectual carrying on of the business of the corporation as a common carrier, the Board may also determine whether and to what extent any or all of such powers should be conferred upon the corporation, that is to say, powers for—

Vessels, &c.

(*a*) the acquisition, chartering, maintenance and operation of steam and other vessels in connection with the undertaking of the corporation; and the construction, acquisition and disposal of wharves, docks, elevators, warehouses and all other structures and buildings necessary for such purposes;

Development and utilization of power.

(*b*) the construction, maintenance and operation of structures and works for the development of power of any kind, and for the conversion of power so obtained into any other form of power, heat, light or electricity, and for the utilization of power, heat, light or electricity obtained by such development or conversion, in and for the purposes of the business of the corporation;

Operation of telegraph and telephone lines for public.

(*c*) the operation of the telegraph and telephone lines of the corporation for the transmission of messages for the public; the collection of tolls for such transmission, subject to the approval of such tolls by the Board, and to revision thereof from time to time by the Board; and for the purposes of such operation and transmission, the making of contracts with other companies having telegraph or telephone powers, and the connection of the lines of the corporation with the lines of such companies, or their lease to such companies;

Issue of securities on property other than railway.

(*d*) the issue by the corporation of bonds, debentures or other securities, charged upon any property of the corporation other than the railway.

Issue of letters patent of incorporation.

11. If the provisional directors fyle with the Secretary of State the certificate issued by the Board of Railway Commissioners for Canada, and if the proper fees as set forth in the Schedule to this Act have been paid, the Secretary of State shall forthwith cause to be issued under his seal of office, letters patent incorporating the association according to the tenour of the certificate.

Application of R.S., c, 37.

12. *The Railway Act* and all amendments thereof, except in so far as modified by this Act, shall apply to every corporation created under this Act, and to every railway constructed, maintained or operated under the authority of this Act.

Interpretation.

2. The expressions "Special Act" and "Act authorizing the construction of the railway," wherever used in *The Railway Act* and its amendments, shall include letters patent issued under this Act.

Prohibition of amalgamation and pooling with competitors.

13. No corporation created under this Act shall amalgamate with, or enter into any agreement for making a common fund or pooling earnings or receipts with, or leasing any parts of its line to, any other railway company owning a parallel or competing line. Every such amalgamation or arrangement shall be null and void.

Exception.

2. The provisions of this section shall not extend to agreements or arrangements made under section 364 of *The Railway* Act, as to interchange of traffic, running rights and the other purposes authorized by that section.

Extensions of existing railways.

14. When any railway company is incorporated by an Act of the Parliament of Canada, or its undertaking is declared to be a work for the general advantage of Canada, any extension of the railway of such company not heretofore authorized shall be subject to the provisions of this Act with respect to notice and to the submission to the Board of the plan, profile, report and estimate provided for in section 5 of this Act.

Powers of Board.

2. Upon the Board being satisfied that all the requirements of this Act and of *The Railway Act* applicable thereto have been complied with, the Board may fix the amount of securities which the company may issue on the said extension, and may give such other powers provided for by this Act as it deems necessary, and may thereupon grant a certificate that public necessity demands the construction of the railway applied for, and that all the provisions of this Act and of *The Railway Act* and all regulations of the Board have been complied with.

Certificate.

Fyling.

3. The applicants may thereupon file the said certificate with the Secretary of State, who shall, upon the payment of

Letters Patent.

the proper fees, grant letters patent under his seal authorizing the construction of the railway.

As to existing companies.

15. Excepting as in the next preceding section provided nothing in this Act shall apply to any railway company incorporated before the passing of this Act.

Short title.

16. This Act may be cited as *The Railway Companies Incorporation Act, 1911.*

SCHEDULE.

NOTE.—*It is intended to add the schedule of fees at a future stage of the Bill.*

1st Session, 12th Parliament, 2 George V., 1911

THE SENATE OF CANADA.

BILL

B

An Act to provide for the Incorporation of Railway Companies.

Received and read a first time,

Tuesday, 21st November, 1911.

Second reading,

Thursday, 23rd November, 1911

Honourable MR. DAVIS.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL B.

AS PASSED BY THE SENATE, 25th MARCH, 1912.

An Act to provide for the incorporation of Railway Companies.

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

1. Any number of persons, not fewer than seven, of the full age of twenty-one years, who desire to be incorporated for the purposes of constructing, maintaining and operating a railway which is within the legislative jurisdiction of the Parliament of Canada, may, by agreement in writing, form themselves into an association for those purposes, and, upon complying with the provisions of this Act, may obtain letters-patent creating them and their successors a corporation with all the powers and privileges, and subject to all the obligations and restrictions, contained in *The Railway Act* and in any other general Act relating to railways. Formation of association. R.S., c. 37.

2. The agreement of association shall contain the following particulars:— Contents of agreement.

(*a*) the proposed name of the corporation, which name shall not be that of any other known company, incorporated or unincorporated, or any name likely to be mistaken therefor, nor otherwise, on grounds of public policy or convinience, objectionable, and shall end with the words "Railway Company;" Name of corporation.

(*b*) the terminal points of the proposed railway, and as nearly as may be estimated, its length in miles; Terminals.

(*c*) the proposed route, with the name of each county, city, town, village and municipality through, into or near which it is proposed to build the railway; Route.

Gauge. (*d*) the gauge of the railway, which shall be four feet, eight inches and one-half of an inch;

Capital. (*e*) the amount of the capital stock of the corporation, which shall not be less than ten thousand dollars for each

Shares. mile of the estimated length of the railway, and shall be divided into shares of one hundred dollars each;

Subscribed shares. (*f*) the number of shares of capital stock which each associate agrees to take; but an associate shall not be bound by such agreement to pay more than ten per cent upon such shares unless the corporation is duly created;

Head office. (*g*) the place where the head office of the corporation is to be;

Provisional directors. (*h*) the names, residences, occupations and post office addresses of at least seven persons to act as provisional directors. These must be subscribers to the agreement and a majority of them resident in Canada; they may fill any vacancy occurring among their number; and shall appoint a secretary and a treasurer who shall hold office until their successors are appointed by the corporation if created, the same person may be appointed both secretary and treasurer;

Secretary and Treasurer. (*i*) the name, residence, occupation and post office address of the secretary and of the treasurer of the association.

Execution of agreement. 2. The agreement shall be signed with the full name of and be sealed by each associate, who shall, opposite his signature, state his residence, occupation and post office address, and the place and date of his signature. Each signature shall be duly witnessed by one witness, whose full, name residence and occupation shall be stated.

Notice of agreement. **3.** Before proceeding to examine and survey the route of the proposed railway the provisional directors shall cause notice of the agreement of association to be given as follows:—

By publication in official and local newspapers. (1) By publication of a copy thereof, at least once a week for six consecutive weeks,—

(*a*) in *The Canada Gazette*, and

(*b*) in the official Gazette of any province in which the proposed railway or any part thereof is to be constructed; and

(*c*) in at least one newspaper in each city, town or village through, into or near which the proposed railway is to be constructed, and in which there is a newspaper published.

By letter. (2) By sending by registered letter a copy of the agreement of association to the clerk of each county or district council, and of each city, town, village or other municipal corporation, which may be specially affected by the construction or operation of the proposed railway.

2. In the provinces of Quebec and Manitoba, the notice shall be given in both the English and French languages. English and French.

3. A statutory declaration by the secretary of the association that any provision of this section has been duly compiled with shall be *prima facie* proof of such compliance. Proof.

4. After the notice required by section 3 of this Act has been duly given, the directors may cause an examination and survey of the route of the proposed railway to be made; and for that purpose they or their agents may enter upon any lands along or adjacent to such route, and do all things necessary. Examination and survey.

2. In the exercise of the powers granted by this section as little damage as possible shall be done and full compensation shall be made to all persons interested for all damages by the exercise of such powers. Damages and compensation therefor.

5. The provisional directors shall cause to be made by a competent engineer, from actual examination and survey, a plan, profile, report and estimate of cost, on such scales and containing such information and in such detail, as may be required by regulation in that behalf to be made, by the Board of Railway Commissioners for Canada, or as may be required by special order of the Board made when necessary. Plan profile report and estimate of cost.

2. The plan, profile, report and estimate shall contain generally all necessary information as to— Information to be given thereby.

(*a*) the character of the country through which the proposed railway is to pass and the feasibility of the proposed route;

(*b*) the proposed gradients;

(*c*) all existing railways and highways to be crossed and the mode of crossing proposed in each case;

(*d*) all rivers, streams and watercourses, to be crossed or diverted, specially distinguishing such as are navigable waters, and giving in each case the nature and estimated cost of the proposed bridge, tunnel, ferry or other means of crossing, or of the proposed diversion;

(*e*) the kind and amount of excavation, embankment, masonry and other sorts of work;

(*f*) full information as to the manner of constructing the proposed railway and the standard to be adopted therefor both as to its construction and equipment;

(*g*) everything necessary to enable the Board of Railway Commissioners for Canada to determine whether the certificate provided for by this Act should be granted by the Board.

Application to Board of Railway Commissioners for certificate.

6. Within twelve months after the last publication of the notice of agreement of association the provisional directors may apply to the Board of Railway Commissioners for Canada for a certificate that the public interest requires that a railway should be constructed as proposed in the agreement of association.

What to be submitted.

2. With such application there shall be submitted to the Board—

(*a*) the original agreement of association, and as many copies thereof as the Board may require;

(*b*) proof that the preceding provisions of this Act have been complied with;

(*c*) proof that responsible persons have in good faith subscribed the amount of capital stock required by this Act, and that at least twenty-five cent on the amount so subscribed has been actually paid in cash into some chartered bank in Canada to the credit of the association to be used only for the purposes of the agreement of association;

(*d*) proof that the necessary notice has been published and given as required by this Act;

(*e*) the plan, profile, report and estimate of cost required by this Act;

(*f*) a statutory declaration, made by at least the majority of the provisional directors and by the secretary of the associarion, as to the truth of all essentials required by this Act and that it is in good faith intended by the association to locate, construct, maintain, equip and operate the railway on the proposed route.

Orders by Board.

3. The Board may order such further information or proof of any alleged fact to be afforded as in its discretion may be requisite.

Form and certification.

4. Any information or proof required by this Act or by the Board in pursuance of this Act shall be given in such form, and shall be verified in such way, by statutory declaration or otherwise, as the Board may prescribe either by general regulation or by special order.

Requirements for issue of certificate.

7. If the Board is satisfied—

that the requirements of this Act, and of all regulations and orders made under this Act by the Board, have been complied with as regards all matters preliminary to the making of the application and as regards the application; and—

that the amount mentioned in the next preceding section of this Act has been paid in good faith as required by that section, and such further amount has been so paid as in the opinion of the Board is necessary to pay all damages, immediate or consequential, caused by the laying out or

building of the railway or by the taking of any lands or material therefor; and—

that sufficient security has been given, by bond or otherwise, that the said amount shall not be withdrawn for any purposes other than those of the agreement of association; and—

that the construction and operation of the proposed railway will be in the public interest;

the Board shall issue a certificate setting forth that the provisions of this Act have been complied with and recommending that the associates be incorporated under this Act, under such name, with such powers, and subject to such provisions, as the Board may, in pursuance of this Act, determine. Issue of certificate.

8. If the Board is not so satisfied, it shall refuse to issue such certificate, but the associates may within one year from such refusal apply again for a certificate. Refusal of certificate.

9. Before issuing the certificate the Board shall determine all such matters relating to the following subjects as are not provided for by *The Railway Act*— Matters to be settled by the Board. R.S., c. 37.

(*a*) the persons to be incorporated; Corporators.

(*b*) the corporate name to be given to the corporation; Name.

(*c*) the provisional directors; Directors.

(*d*) the capital stock; Capital.

(*e*) the head office; Head office.

(*f*) the annual meeting of the corporation; Annual meeting.

(*g*) the route of the proposed railway, as to which the Board may impose such conditions and restrictions as the Board deems advisable in the interest of the public or of any municipality; Route.

The route fixed by the Board may include such lines, branches or spurs within municipalities as may be necessary for carrying on the corporation's business; but no such line, branch or spur shall be located or constructed without the consent of the proper municipal authority, which in giving such consent may impose such conditions and restrictions as to the location, construction or use thereof as are agreed upon between the provisional directors, or the directors, and the municipal authority; and the corporation shall be liable to the municipality for all damage or loss caused to the municipality by such location, construction or use, or by the negligence or default of the corporation, its agents or workmen; Municipalities.

(*h*) the amount of bonds, debentures or other securities which may be issued. This shall be fixed at a certain rate per mile of the railway, and such issue shall be Issue of securities.

authorized to be made only in proportion to the length of railway constructed or under contract to be constructed, and on the express condition that all moneys realized from such issue shall be used for no other purpose than the construction, equipment, maintenance and operation of the railway, and that if by any court of competent jurisdiction it is found that this condition has not been fulfilled, that court shall order the corporation to pay an amount equal to the moneys so diverted from their proper use, which amount shall be paid into the consolidated revenue fund of Canada;

Agreements with other companies.

(*i*) the other railway companies with which, if it so desires, the corporation may, subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, enter into agreements for any of the purposes specified in section 361 of that Act.

Additional powers.

10. When in the opinion of the Board it would be for the public interest that the powers hereinafter mentioned, or any of them, should be conferred upon the corporation, and that such powers are necessary for the effectual carrying on of the business of the corporation as a common carrier, the Board may also determine whether and to what extent any or all of such powers should be conferred upon the corporation, that is to say, powers for—

Vessels, &c.

(*a*) the acquisition, chartering, maintenance and operation of steam and other vessels in connection with the undertaking of the corporation; and the construction, acquisition and disposal of wharves, docks, elevators, warehouses and all other structures and buildings necessary for such purposes;

Development and utilization of power.

(*b*) the construction, maintenance and operation of structures and works for the development of power of any kind, and for the conversion of power so obtained into any other form of power, heat, light or electricity, and for the utilization of power, heat, light or electricity obtained by such development or conversion, in and for the purposes of the business of the corporation;

Operation of telegraph and telephone lines for public.

(*c*) the operation of the telegraph and telephone lines of the corporation for the transmission of messages for the public; the collection of tolls for such transmission, subject to the approval of such tolls by the Board, and to revision thereof from time to time by the Board; and for the purposes of such operation and transmission, the making of contracts with other companies having telegraph or telephone powers, and the connection of the lines of the corporation with the lines of such companies, or their lease to such companies;

(*d*) the issue by the corporation of bonds, debentures or other securities, charged upon any property of the corporation other than the railway. Issue of securities on property other than railway.

11. If the provisional directors fyle with the Secretary of State the certificate issued by the Board of Railway Commissioners for Canada, and if the proper fees as set forth in the Schedule to this Act have been paid, the Secretary of State shall forthwith cause to be issued under his seal of office, letters patent incorporating the association according to the tenour of the certificate. Issue of letters patent of incorporation.

12. *The Railway Act* and all amendments thereof, except in so far as modified by this Act, shall apply to every corporation created under this Act, and to every railway constructed, maintained or operated under the authority of this Act. Application of R.S., c, 37.

2. The expressions "Special Act" and "Act authorizing the construction of the railway," wherever used in *The Railway Act* and its amendments, shall include letters patent issued under this Act. Interpretation.

13. No corporation created under this Act shall amalgamate with, or enter into any agreement for making a common fund or pooling earnings or receipts with, or leasing any parts of its line to, any other railway company owning a parallel or competing line. Every such amalgamation or arrangement shall be null and void. Prohibition of amalgamation and pooling with competitors.

2. The provisions of this section shall not extend to agreements or arrangements made under section 364 of *The Railway* Act, as to interchange of traffic, running rights and the other purposes authorized by that section. Exception.

14. When any railway company is incorporated by an Act of the Parliament of Canada, or its undertaking is declared to be a work for the general advantage of Canada, any extension of the railway of such company not heretofore authorized shall be subject to the provisions of this Act with respect to notice and to the submission to the Board of the plan, profile, report and estimate provided for in section 5 of this Act. Extensions of existing railways.

2. Upon the Board being satisfied that all the requirements of this Act and of *The Railway Act* applicable thereto have been complied with, the Board may fix the amount of securities which the company may issue on the said extension, and may give such other powers provided for by this Act as it deems necessary, and may thereupon grant a certificate that public necessity demands the construction of the railway applied for, and that all the provisions of this Act and of *The Railway Act* and all regulations of the Board have been complied with. Powers of Board. Certificate.

Fyling.

3. The applicants may thereupon file the said certificate with the Secretary of State, who shall, upon the payment of the proper fees, grant letters patent under his seal authorizing the construction of the railway.

Letters Patent.

As to existing companies.

15. Excepting as in the next preceding section provided nothing in this Act shall apply to any railway company incorporated before the passing of this Act.

Short title.

16. This Act may be cited as *The Railway Companies Incorporation Act, 1912.*

SCHEDULE.

NOTE.—*It is intended to add the schedule of fees at a future stage of the Bill.*

1st Session, 12th Parliament, 2 George V., 1911

THE SENATE OF CANADA.

BILL D.

An Act respecting the Sale of Bread.

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

Short title.

1. This Act may be cited as *The Bread Sales Act*, 1912.

Weight of bread.

2. Except as provided in subsection 2 of this section, no person shall make bread for sale, or sell or offer for sale bread, except in loaves weighing six pounds avoirdupois or one-half or one-fourth of that weight.

2. Small bread may be made for sale, offered for sale and sold in any weight not exceeding twelve ounces avoirdupois.

Scales and weights in premises.

3. Every person making bread for sale shall keep, in a conspicuous and convenient place in the premises wherein such bread is made for sale or sold, scales and weights suitable for weighing bread, and shall weigh the bread offered for sale by him at the request of any person desiring to purchase the same.

Penalty for contravention of provisions of Act.

4. Every person who makes for sale, or sells or offers for sale, bread in contravention of the preceding sections of this Act, or who neglects to comply with the provisions of section 3 of this Act, shall, upon summary conviction, incur a penalty not exceeding twenty-five dollars.

1st Session, 12th Parliament, 2 George V., 1911.

THE SENATE OF CANADA.

BILL.

D

An Act respecting the Sale of Bread.

Received and read a first time

Thursday, 23rd November, 1911.

Second reading

Tuesday, 28th November, 1911.

Honourable Mr. Casgrain.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL F.

An Act to incorporate Révillon Frères Trading Company, Limited.

Preamble.

WHEREAS it has been made to appear that by Letters Patent of Canada, dated June 2, 1904, issued pursuant to *The Companies Act, 1902*, upon the application of Révillon Frères, a company duly incorporated under the laws of the Republic of France, the shareholders of the said Révillon Frères were incorporated in Canada under the name of "Révillon Brothers, Limited" and, in accordance with *The Companies Act, 1902*, rights, property and obligations of the said Révillon Frères were declared to be transferred to Révillon Brothers, Limited, the company so incorporated in Canada; and whereas no provisional directors were named in the said Letters Patent and the company so incorporated in Canada has not organized and cannot organize thereunder and is therefore incapable of conveying property or otherwise acting; and whereas it has been made to appear that all of the assets now vested in Révillon Brothers, Limited, have been paid for out of the funds of Révillon Frères, the French corporation; and whereas the said Révillon Frères, the French corporation, and its shareholders desire by this Act to have vested in the company incorporated by this Act the assets in Canada which were so declared to be vested in the said Révillon Brothers, Limited, and all of the assets which now are or may be vested in the said Révillon Brothers, Limited; and whereas it has been represented that the said assets are those mentioned in the schedule to this Act; and whereas a petition has been presented praying that it be enacted as herein set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1902, c. 15.

Incorporation.

1. Victor Révillon and Albert Révillon, merchants, both of the city of Paris, France; Thierry Mallet, merchant, of

the city and district of Montreal; Gordon Walters MacDougall, King's Counsel, and Lawrence Macfarlane, advocate, both of the city and district of Montreal, together with such persons as become shareholders in the company, are hereby incorporated under the name of "Révillon Frères Trading Company, Limited," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

Calls.

3. The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each, and may be issued and allotted by the directors from time to time as they deem necessary.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec, or at such place in Canada as is from time to time determined by by-law of the Company.

Business and powers

5. The Company may—

Manufacture and sale of furs, etc.

(*a*) manufacture, buy, sell, trade and deal in furs, skins, leathers and other commercial articles and merchandise of every description, and carry on all other detail branches of business usual or conveniently connected with any such businesses as aforesaid;

Acquisition of property.

(*b*) purchase or otherwise acquire, hold, lease or otherwise dispose of any real or personal property, rights or privileges which may be necessary or useful for the carrying on of the business of the Company: Provided that nothing herein shall be construed as enabling the Company to acquire real estate beyond what is necessary for carrying on the business aforesaid;

Vessels, buildings, etc.

(*c*) construct, acquire, own, manage, charter, operate, hire, or lease all kinds of steam and sailing vessels, boats, tugs, and barges, and other vessels, wharves, docks, elevators, warehouses, freight sheds and other buildings necessary or convenient for the purposes of the Company;

Acquisition of business or property of similar companies.

(*d*) purchase or otherwise acquire or undertake all or any part of the business, property, assets or liabilities of any partnership or company carrying on business with objects similar in whole or in part to those of the Company;

Issue of paid up securities for above purposes.

(*e*) issue paid up shares, bonds, debentures or other securities for the payment either in whole or in part of any property real or personal, rights, claims, privileges, concessions or other advantages which the Company may

lawfully acquire; and also issue such fully paid shares, bonds, debentures or other securities in payment, part payment or exchange for the shares, bonds, debentures, or other securities of any other company doing business similar in whole or in part or incidental to the business of the Company.

Acquisition etc., of securities of similar companies.

(*f*) purchase, acquire, hold and own the capital stock, bonds or other securities of any other company, corporation or individual carrying on or engaged in any business which the Company is empowered to carry on or engage in; and acquire, hold, pledge or otherwise dispose of such shares, bonds or other securities;

Money aid to other corporations.

(*g*) raise and assist in raising money for, and aid by way of bonus, loan, promise, endorsement, guarantee of bonds, debentures or otherwise, any other company or corporation;

Investment of moneys of Company.

(*h*) invest the moneys of the Company not immediately required in such manner as may from time to time be determined;

Amalgamation.

(*i*) amalgamate with any other company or companies having objects similar to those herein enumerated;

Disposal of Company's property, etc.

(*j*) sell, lease, exchange, or otherwise dispose of, in whole or in part, the property, rights or undertakings of the Company for such consideration as may be agreed upon, and, in particular, for shares, debentures or securities of any other company having objects similar altogether or in part to those of the Company; and distribute among the shareholders of the Company in kind any of the shares, debentures or securities so received, provided that the paid up capital of the Company is not thereby impaired;

Arrangements with governments and other authorities.

(*k*) enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise, that may seem conducive to the Company's objects or any of them; and obtain from any such government or authority any rights, privileges and concessions which it may be desirable to obtain; and carry out, exercise and comply with, or sell and dispose of any such arrangements, rights, privileges and concessions;

Powers incidental to the above purposes.

(*l*) do all other acts and things which are incidental or conducive to the attainment of the above objects or any of them, and carry on any business germane to the purposes and objects set forth and which may seem to the Company capable of being conveniently carried on or calculated directly or indirectly to enhance the value of or to render profitable any of the Company's properties or rights.

Transmission and delivery of power and electricity.

6. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or

other power or energy, which may be transmitted and delivered to any place in the district in which the business of the Company is carried on; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time.

Approval by Railway Commission.

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

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

R. S., c. 126.

8. The Company shall be and is hereby vested with all and every the property and assets, moveable and immoveable, rights, claims, privileges and choses in action situated in any place throughout Canada belonging to or the property of, or purporting to belong to or to be the property of, Révillon Brothers, Limited, as chartered by Letters Patent of Canada dated June 2nd, 1904, and shall be and is responsible for all the liabilities of the said Révillon Brothers, Limited; and all suits now pending against the said Révillon Brothers, Limited, may be prosecuted to a conclusion against the Company incorporated by this Act.

Property, etc., of Révillon Brothers, Limited, vested in this Company.

9. From and after the coming into force of the present Act the said Letters Patent of June 2nd, 1904, shall be cancelled and annulled, and the following rights, powers and privileges originally granted to Révillon Brothers, Limited, by chapter 154 of the statutes of 1906 and as hereinafter modified and declared, shall be extended to and shall be used and enjoyed by the Company incorporated by this Act, to wit:—

Cancellation of Letters Patent incorporating Révillon Brothers, Limited.

Powers under 1906, c. 154 transferred to Company incorporated by this Act.

(*a*) The Company may make contracts with any government, corporation or person for the carriage of the mails in

Carriage of mails.

any portion of the territory in which its fur and trading posts are now or hereafter may be established;

Vessels. (*b*) The Company may buy, construct, lease, own and operate ships and vessels for the carriage of passengers and of merchandise, and may carry on the business of wharfingers and warehousemen;

Wharfinger business.

Telegraph and telephone lines. R.S., c. 37. (*c*) For the purposes of its undertaking and subject to the provisions of *The Railway Act*, the Company may construct and operate telegraph and telephone lines between any of its posts or settlements, as may be designated by order in council; and, for the purposes of operating such lines or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of any such companies;

Rates and charges. The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time;

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

Timber limits (*d*) The Company may buy, lease, develope and sell timber limits and rights, and in connection therewith build, erect, establish, own and operate saw mills and their accessories and sell and manufacture the products thereof;

Saw mills.

Mining. (*e*) The Company may buy, lease, own, sell and operate mines and the products thereof and deal in mining claims of every description;

Land for colonization. (*f*) The Company may buy, lease, sell, own and develope land for the purposes of colonization and of settlement;

Fishing and hunting. (*g*) The Company may buy, sell, lease and dispose of fishing and hunting rights and privileges;

Money forwarding. (*h*) The Company may carry on the business of a money forwarder by post, telegraph or other means, in such portions of the territories and provinces of Canada as may be authorized by order in council in which its fur and trading posts are now or are hereafter established;

Powers to borrow money, issue bonds, etc. (*i*) If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time—

(*i*) borrow money upon the credit of the Company;

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

(*iii*) issue bonds, debentures, or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient: Provided that such bonds, debentures or other securities may be for sums not less than twenty pounds sterling, five hundred francs, or four hundred marks, or for sums not less than the nearest equivalent in round figures of other money to one hundred dollars in Canadian currency;

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

Nothing in this paragraph contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Description of property and assets transferred

10. The property and assets of Révillion Brothers, Limited, to be vested in the company incorporated by this Act shall be deemed to be and consist of the properties specified in the Schedule to this Act; but nothing in this Act shall affect the rights of any creditors of the said Révillon Brothers, Limited.

Authority for issue of shares to Révillon Frères as fully paid on certain conditions.

11. The shares of the Company may be issued and allotted as fully paid to Révillon Frères, a company duly incorporated under the laws of the Republic of France, or to its nominees, on a proper valuation of the assets hereby vested in the company incorporated by this Act, such valuation to be accepted and approved by the directors and shareholders of the Company at meetings to be called for that purpose.

Qualification of directors.

12. At least two directors shall be residents of Canada and subjects of His Majesty.

Proxies.

2. Two non-resident directors may vote by proxy at any meeting of directors and such proxy shall be held by a director only; but no meeting shall be competent to transact business unless at least two directors are present in person.

3. No such proxy shall be valid unless it has been made or renewed in writing within one year next preceding the time of such meeting.

Repeal

13. Chapter 154 of the Statutes of 1906 is hereby repealed.

14. Sections 127, 136, 137, 141 and 168 of *The Companies Act* shall not apply to the Company. As to application of R.S., c 79.

SCHEDULE.

Real estate, buildings, plant and accessories, including stock in trade, furs, merchandise, office fixtures, open accounts, bills receivable, cash on hand and in bank, and generally all rights, claims, privileges and choses in action the property of the Company situated at or near—

Missanabie, province of Ontario.
Nepigon "
Ombabika "
Long Lake "
Fort Hope "
Matheson "
Cochrane "
Pointe Bleue, province of Quebec.
Sept Iles "
Bersimis "
Piastre Bay "
Montreal "
North West River, Labrador.
Red Bay "
Ungava "
Wakeham Bay, Hudson Straits.
Fort Harrison, Hudson Bay.
Fort George, James Bay.
Rupert "
Moose "
Albany "
Strutton "
Akimiski "
Attawapiskat "
East Main "
English River "
Edmonton Alberta.
Arthabaska Landing "
Lesser Slave Lake "
Sturgeon Lake "
White Fish Lake "
Peace River Crossing "
Spirit River "
Grand Prairie "
Fort St. Johns "
Hay River "
Fort Vermilion "

Wabiscaw, Alberta.
Trout Lake "
Calling Lake "
Prince Albert, Saskatchewan.
Green Lake, "
Isle a la Crosse "
Buffalo River "
Portage La Loche "
Clear Lake "
The Dipper "
Montreal Lake "
Lake la Rouge "
Stanley "
Souris River "
Cumberland House "
Pelican Narrows "
Pukitawagan "
Lake du Brochet "

Also the following steamers:—
Steamer "Ombabika," 30 tons, on Nepigon Lake, Ontario.
Steamer "Minawa," 150 tons, on Nipigon Lake, Ontario.
Steamer "Emilia," 130 tons, in James Bay.
And Schooner "Annie Geele," 30 tons, in James Bay.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

F

An Act to incorporate Révillon Frères Trading Company, Limited.

Received and read a first time
Tuesday, 5th December, 1911.
Second reading
Thursday, 25th January, 1912.

Honourable Mr. Scott.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911

114

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL F.

AS PASSED BY THE SENATE, 23rd FEBRUARY, 1912.

An Act to incorporate Révillon Frères Trading Company, Limited.

WHEREAS it has been made to appear that by Letters Patent of Canada, dated June 2, 1904, issued pursuant to *The Companies Act, 1902*, upon the application of Révillon Frères, a company duly incorporated under the laws of the Republic of France, the shareholders of the said Révillon Frères were incorporated in Canada under the name of "Révillon Brothers, Limited," and, in accordance with *The Companies Act, 1902*, rights, property and obligations of the said Révillon Frères were declared to be transferred to Révillon Brothers, Limited, the company so incorporated in Canada; and whereas no provisional directors were named in the said Letters Patent and the company so incorporated in Canada has not organized and cannot organize thereunder and is therefore incapable of conveying property or otherwise acting; and whereas it has been made to appear that all of the assets now vested in Révillon Brothers, Limited, have been paid for out of the funds of Révillon Frères, the French corporation; and whereas the said Révillon Frères, the French corporation, and its shareholders, desire by this Act to have vested in the company incorporated by this Act the assets in Canada which were so declared to be vested in the said Révillon Brothers, Limited, and all of the assets which now are or may be vested in the said Révillon Brothers, Limited; and whereas a petition has been presented praying that it be enacted as herein set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1902, c. 15.

Incorporation.

1. Victor Révillon and Albert Révillon, merchants, both of the city of Paris, France; Thierry Mallet, merchant, of the city and district of Montreal; Gordon Walters MacDougall, King's Counsel, and Lawrence Macfarlane, advocate, both of the city and district of Montreal, together with such persons as become shareholders in the company, are hereby incorporated under the name of "Révillon Frères Trading Company, Limited," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

Calls.

3. The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each, and may be issued and allotted by the directors as they deem necessary.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec, or at such place in Canada as is from time to time determined by by-law of the Company.

Business and powers.

5. The Company may—

Manufacture and sale of furs, etc.

(*a*) manufacture, buy, sell, trade and deal in furs, skins, leathers and other commercial articles and merchandise of every description, and carry on all other detail branches of business usual or conveniently connected with any such businesses as aforesaid;

Acquisition of property.

(*b*) purchase or otherwise acquire, hold, lease or otherwise dispose of any real or personal property, rights or privileges which may be necessary or useful for the carrying on of the business of the Company: Provided that nothing herein shall be construed as enabling the Company to acquire real estate beyond what is necessary for carrying on the business aforesaid;

Vessels, buildings, etc.

(*c*) construct, acquire, own, manage, charter, operate, hire, or lease all kinds of steam and sailing vessels, boats, tugs, and barges, and other vessels, wharves, docks, elevators, warehouses, freight sheds and other buildings necessary or convenient for the purposes of the Company;

Acquisition of business or property of similar companies.

(*d*) purchase or otherwise acquire or undertake all or any part of the business, property, assets or liabilities of any partnership or company carrying on business with objects similar in whole or in part to those of the Company;

Issue of paid up securities

(*e*) issue paid up shares, bonds, debentures or other securities for the payment either in whole or in part of any

property real or personal, rights, claims, privileges, concessions or other advantages which the Company may lawfully acquire; and also issue such fully paid shares, bonds, debentures or other securities in payment, part payment or exchange for the shares, bonds, debentures, or other securities of any other company doing business similar in whole or in part or incidental to the business of the Company. for above purposes.

(*f*) purchase, acquire, hold and own the capital stock, bonds or other securities of any other company, corporation or individual carrying on or engaged in any business which the Company is empowered to carry on or engage in; and acquire, hold, pledge or otherwise dispose of such shares, bonds or other securities; Acquisition etc., of securities of similar companies.

(*g*) raise and assist in raising money for, and aid by way of bonus, loan, promise, endorsement, guarantee of bonds, debentures or otherwise, any other company or corporation; Money aid to other corporations.

(*h*) invest the moneys of the Company not immediately required in such manner as may from time to time be determined; Investment of moneys of Company.

(*i*) amalgamate with any other company or companies having objects similar to those herein enumerated; Amalgamation.

(*j*) sell, lease, exchange, or otherwise dispose of, in whole or in part, the property, rights or undertakings of the Company for such consideration as may be agreed upon, and, in particular, for shares, debentures or securities of any other company having objects similar altogether or in part to those of the Company; and distribute among the shareholders of the Company in kind any of the shares, debentures or securities so received, provided that the paid up capital of the Company is not thereby impaired; Disposal of Company's property, etc.

(*k*) enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise, that may seem conducive to the Company's objects or any of them; and obtain from any such government or authority any rights, privileges and concessions which it may be desirable to obtain; and carry out, exercise and comply with, or sell and dispose of any such arrangements, rights, privileges and concessions; Arrangements with governments and other authorities.

(*l*) do all other acts and things which are incidental or conducive to the attainment of the above objects or any of them, and carry on any business germane to the purposes and objects set forth and which may seem to the Company capable of being conveniently carried on or calculated directly or indirectly to enhance the value of or to render profitable any of the Company's properties or rights. Powers incidental to the above purposes.

Transmission and delivery of power and electricity.

6. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the district in which the business of the Company is carried on; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Approval by Railway Commission.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

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

R. S., c. 126.

Acquisition of property, etc., of Révillon Brothers, Limited.

8. The Company may acquire the property and assets, moveable and immoveable, rights, claims, privileges and choses in action, situated in any place throughout Canada, belonging to or the property of, or purporting to belong to or to be the property of, Revillon Brothers, Limited, as incorporated by Letters Patent of Canada, dated June 2nd, 1904.

Method of conveyance.

2. For the purposes of such acquisition Thierry Mallet, of the city of Montreal, merchant, and Edmond Mathieu of the said city, merchant, or either of them, may, for and in the name of the said Révillon Brothers, Limited, execute and deliver all deeds and instruments of conveyance and do all other things requisite.

Issue of paid-up shares to Révillon Frères, as price.

3. Shares of the Company may be issued at par and allotted as fully paid-up shares to Revillon Frères, a company duly incorporated under the laws of the Republic of France, in consideration for and as the purchase price of the said property, assets, moveable or immoveable, rights, claims, privileges or choses in action:—but no such issue or allotment shall be made to an amount exceeding the value of the said property, assets, moveable or immoveable, rights,

Limitation to value of property acquired.

claims, privileges or choses in action, as determined by a proper valuation thereof duly approved by the directors of the Company.

Company to be liable for obligations of Révillon Brothers.

9. The Company is hereby declared to be and shall be responsible for all obligations, debts and liabilities of the said Révillon Brothers, Limited; and all suits, actions and proceedings now pending against the said Révillon Brothers, Limited, may be prosecuted to a conclusion against the Company and all judgments existing, either in favour of or against the said Revillon Brothers, Limited, may be enforced by or against the Company.

Powers under 1906, c. 154 transferred to Company incorporated by this Act.

10. The following rights, powers and privileges originally granted to Révillon Brothers, Limited, by chapter 154 of the statutes of 1906 and as hereinafter modified and declared, shall be extended to and shall be used and enjoyed by the Company incorporated by this Act, to wit:—

Carriage of mails.

(*a*) The Company may make contracts with any government, corporation or person for the carriage of the mails in any portion of the territory in which its fur and trading posts are now or hereafter may be established;

Vessels.

(*b*) The Company may buy, construct, lease, own and operate ships and vessels for the carriage of passengers and of merchandise, and may carry on the business of wharfingers and warehousemen;

Wharfinger business.

Telegraph and telephone lines.

R.S., c. 37.

(*c*) For the purposes of its undertaking and subject to the provisions of *The Railway Act*, the Company may construct and operate telegraph and telephone lines between any of its posts or settlements, as may be designated by order in council; and, for the purposes of operating such lines or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of any such companies;

Rates and charges.

The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges;

R.S., c. 126

Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company;

Timber limits

Saw mills.

(*d*) The Company may buy, lease, develope and sell timber limits and rights, and in connection therewith build, erect, establish, own and operate saw mills and their accessories and sell and manufacture the products thereof;

Mining.

(*e*) The Company may buy, lease, own, sell and operate mines and the products thereof and deal in mining claims of every description;

Land for colonization.

(*f*) The Company may buy, lease, sell, own and develope land for the purposes of colonization and of settlement;

Fishing and hunting.

(*g*) The Company may buy, sell, lease and dispose of fishing and hunting rights and privileges;

Money forwarding.

(*h*) The Company may carry on the business of a money forwarder by post, telegraph or other means, in such portions of the territories and provinces of Canada as may be authorized by order in council in which its fur and trading posts are now or are hereafter established;

Powers to borrow money, issue bonds, etc.

(*i*) If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time—

(1) borrow money upon the credit of the Company;

(2) limit or increase the amount to be borrowed;

(3) issue bonds, debentures, or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient: Provided that such bonds, debentures or other securities may be for sums not less than twenty pounds sterling, five hundred francs, or four hundred marks, or for sums not less than the nearest equivalent in round figures of other money to one hundred dollars in Canadian currency;

(4) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures, or other securities, and any money borrowed for the purposes of the Company;

Nothing in this paragraph (*i*) contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Qualification of directors.

11. At least two directors shall be residents of Canada and subjects of His Majesty.

Classes of directors and their powers.

2. The Company may by by-law classify its directors into two groups and limit the exercise of the powers of the board of directors to both groups being represented by some of its members and such representative or representatives forming part of the majority at the meeting or otherwise.

Repeal

12. Chapter 154 of the Statutes of 1906 is hereby repealed.

13. Sections 127, 136, 137, 141 and 168 of *The Companies Act* shall not apply to the Company. As to application of R.S., c. 79

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL G.

An Act to check the spread of Typhoid Fever.

NOTE.—*Clause 3 is not intended to form part of the Bill. It is printed for information only.*

Preamble.

WHEREAS it is generally recognized that the typhoid bacilli obtain an entrance into the human organism usually through the medium of our drinking water, but sometimes by inhalation, or they may be swallowed in polluted food, multiplying by millions in the alimentary canal, if there is present any fermenting or undigested food; it therefore becomes essential for the preservation of the public health, that these dangerous germs should be promptly destroyed by disinfection when expelled from the body, thus annualy saving many lives, but only if disinfection is rigidly enforced: Therefore His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:

R.S., c. 146. New sections added.

1. *The Criminal Code* is hereby amended by inserting therein, immediately after section 222 thereof, the following sections:

Endangering lives or health of the public by disposing of typhoid excreta in certain ways.

"**222A.** Every one is guilty of an indictable offence, and liable to one year's imprisonment, who endangers the lives or health of the public by emptying or depositing any excreta, whether solid or liquid, from a typhoid fever patient,

(*a*) into, or on the banks of, or near to, any lake, pond, well, river, stream or other water, from which, either directly or at any place lower down in the waterflow therefrom, any

city, town, or village is supplied with water for drinking or domestic purposes, or,

(*b*) into, or on the banks of, or near to, any water discharging into such lake, pond, well, river, stream or other water, or,

(*c*) into any water-closet, drain, ditch, conduit, or sewer so discharging, or,

(*d*) into any privy or cesspool, or,

(*e*) by making any other disposition of such excreta, except as hereinafter specified.

Duty of attendants on typhoid patients.

Notice to municipality.

"**222B.** Every one is guilty of an indictable offence, and liable to one year's imprisonment, who,

(*a*) being a medical or other attendant upon any person, and knowing that person to have typhoid fever, fails or neglects to give notice immediately to the health-officer of, or to the mayor or other head officer of, the municipality in which that person is being attended, or was attended, that the person has typhoid fever; or,

Duty of certain municipal officers as to disposal of typhoid excreta.

(*b*) being such health officer, mayor or other head officer, and having received such notice, fails or neglects to make promptly effectual arrangements to have the excreta, both solid and fluid, of such person treated with carbolic acid or such other disinfectant as will effectually destroy all bacilli and germs therein, and to have the said excreta after they have been disinfected, buried in the earth at least three feet below the surface of the ground and at least three hundred yards from any lake, river, pond, stream, drain, ditch, conduit, sewer or other waterway."

R.S., c. 146, s. 223 amended. Non-criminal common nuisances.

2. Section 223 of *The Criminal Code* is hereby amended by substituting for the words "last preceding section" in the third line thereof, the words "three sections last preceding."

Payment of expenses.

3. *All expenses attending the disinfecting and disposing of the excreta in the manner herein prescribed in this Act, and also the cost of making public this Act, shall be borne by and paid by the municipality wherein the patient had the disease, but may be advanced in the first instance out of the Consolidated Revenue Fund of Canada by authority of the Governor in Council.*

Publication of Act.

4. In every city, town, or other municipality wherein a case of typhoid fever occurs, or has occurred within one year next before the passing of this Act, this Act shall be published at least twelve times in a daily or weekly newspaper in or near the locality where such case occurred.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

G

An Act to check the spreading of Typhoid Fever.

Received and read a first time

Wednesday, 24th January, 1912.

Second reading

Tuesday, 30th January, 1912.

Honourable Sir Richard Scott.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL H.

An Act to incorporate The British Canadian Loan Company.

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

1. Peter McAra, Charles Willoughby, William H. Duncan, William T. Mollard and James Balfour, all of the city of Regina, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The British Canadian Loan Company," hereinafter called "the Company". Incorporation. Corporate name.

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

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

2. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed, and not less than Election of directors.

fifty thousand dollars of that amount have been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Regina, at which meeting shall be elected the board of directors of the Company, who shall hold office until their successors are appointed; and upon the election of such board the functions of the provisional directors shall cease.

Qualification.

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

Head office.

4. The head office of the Company shall be at the city of Regina, in the province of Saskatchewan, or at such other place in Canada as the Company may from time to time

Other offices.

determine by by-law, but the directors may establish other offices and places of business elsewhere.

Meetings, calling of.

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

Notice.

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

Calls on 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; and any notice of call may be effectually given by sending the notice by registered letter post paid to the address of the shareholder as given in the books of the Company.

Conditions of commencing business.

7. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so;

Certificate.

and no application for such certificate shall be made, and and no such certificate shall be given, until the board of

directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company has been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided, that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

Subscription of stock.

Cash deposit.

Time for application for certificate

Proviso: for case of certificate not being obtained.

8. The Company may lend money on the security of, or purchase or invest in,—

Business.

(*a*) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables;

Mortgages on real estate.

(*b*) the debentures, bonds, stocks and other securities of any government or any municipal corporation or school corporation, or of any chartered bank (to the extent of not more than twenty per cent of the paid up capital stock of any such bank); provided that the Company shall not lend upon the security of, or purchase, or invest in bills of exchange or promissory notes;

Stocks and securities.

Proviso.

(*c*) freehold real estate, subject to an agreement for sale, upon which not more than sixty per cent of the purchase price still remains to be paid under the said agreement for sale.

Freehold real estate.

2. The Company may take personal security as collateral for any advance made, or to be made, or contracted to be made by or for any debt due to the Company.

Personal security.

3. The Company shall not invest in, nor lend money upon the security of the stock of any other loan Company.

Stock of loan companies.

4. The Company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock to an amount not exceeding in the aggregate of all such loans ten per cent of the Company's paid-up stock, but no such loan shall exceed eighty per cent of the market price then actually offered for the stock; but the Company shall not, except as in this subsection provided, make any loan or advance upon the security of any share or stock of the Company, whether with or without collateral security.

Loans upon company's own stock.

9. The Company may act as an agency association for the interest and on behalf of others who entrust it with

Agency association.

money for that purpose, and may, either in the name of the Company, or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 8 of this Act; and may purchase and acquire any securities on which it is authorized to advance money, and resell the same.

Enforcement of agreements

2. The conditions and terms of such loans and advances, and of such purchases and re-sales, may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent or advanced, or such purchase and resale made; and the Company shall have the same powers in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of repayment.

3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any money entrusted to the Company for investment.

Employment of capital.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any money so entrusted to it as aforesaid; and may do, assent to, and exercise all acts whatsoever which, in the opinion of the directors, are requisite or expedient to be done in regard thereto.

Moneys guaranteed to be deemed borrowed.

5. All moneys as to which the repayment of the principal or payment of interest is guaranteed by the Company shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation of companies.

10. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

Moneys on deposit.

11. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time for payment and otherwise as may be agreed, and may issue its bonds, debentures and other securities for moneys borrowed:

Limitation of liability to the public.

Provided that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the amount paid upon its then actually paid up and unimpaired capital stock; but the amount of cash on hand, or deposited in chartered banks, belonging to the Company,

Limitation of amount held on deposit.

shall be deducted from such total liability for the purposes of this section: Provided also, that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of

its cash actually in hand or deposited in any chartered bank in Canada and belonging to the Company.

Loans to shareholders to be deducted from capital.

2. The loans or advances by the Company to its shareholders upon the security of their stock shall be deducted from the amount of the paid-up capital upon which the Company is authorized to borrow.

As to liabilities to the public.

3. The liabilities of any company which are assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of this section.

Decrease of capital.

12. The directors may, from time to time, by by-law, provide for the decrease of the capital stock of the Company to any amount not less than one hundred thousand dollars which they consider sufficient.

Contents of by-law.

2. Such by-law shall declare the number of the shares of the stock so decreased and the allotment thereof or the rules by which the same is to be made.

Rights of creditors preserved.

3. The liability of shareholders to persons who are, at the time the stock is decreased, creditors of the Company, shall remain as though the stock had not been decreased.

Requisites for validity of by-law.

13. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the issued capital stock of the Company represented at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance, given under the authority of the Treasury Board.

Certificate of Minister of Finance.

Requisites for such certificate.

14. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the Company, the amount of such decrease of capital may, by the certificate, be changed, and the decrease made subject to such conditions as the Treasury Board thinks proper.

Proviso.

Debenture stock.

15. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or pay-

To be included in estimates of liabilities to public.

ment thereof, and otherwise, and bearing such rate of interest, as the directors from time to time think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public, under section 11 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine.

Rank.

Transfer.

Register of debenture stock.

16. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head or other registered office of the Company in Canada or elsewhere, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and persual at all reasonable times to every mortgagee, debenture holder, bondholder, debenture-stockholder and shareholder of the Company without the payment of any fee or charge.

Contents.

Exchange of debentures.

17. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Cancellation of debenture stock.

18. The Company, having issued debenture stock, may from time to time, as it thinks fit and in the interest of the Company, but only with the consent of the holders thereof, buy up and cancel the debenture stock or any portion thereof.

Preference stock by-laws invalid till sanctioned.

19. No by-law to create and issue preference stock shall have any force or effect until it has been sanctioned, either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such shareholders present at the meeting or represented thereat by proxy holding not less than two-thirds of the amount paid upon the capital stock of the Company.

Reserve fund.

20. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing, improving or maintaining any of the property of

the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with all power to employ in the business of the Company the assets constituting the reserve fund, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations in section 8 of this Act.

Extension of business outside of Canada.

21. The Company may, in general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds of the paid-up capital stock of the Company are present or represented by proxy, pass a by-law authorizing its directors to extend the business of the Company outside of Canada; and the directors may give effect to such by-law without being liable or responsible as for any breach of trust in so doing.

Property and buildings for agencies abroad.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada, the Company may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest moneys of the Company in the acquisition of property for the erection of or purchase of buildings required for the occupation or use of the Company in any place where the Company is so carrying on business.

Agencies abroad.

22. The Company may have agencies in any places in Great Britain, or elsewhere, for the registration and transfer of debenture or other stock, and for the transaction of any other business of the Company.

Power to acquire business, etc., of other companies.

23. The Company may purchase, acquire and undertake, the whole or any part of the business, assets, rights, credits, effects, and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and good-will of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock either fully paid up or partly paid up, or in any other manner; and the Company and any such other company may enter into agreements for such purchase and sale and do

Payment.

Power to other companies to sell.

Proviso.

Approval of Treasury Board.

all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

Issue of debenture stock in lieu of debenture stock of other companies.

24. In case any company whose assets are acquired by the Company has issued debenture stock, and such debenture stock is outstanding at the date of such acquisition, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding as aforesaid, and may with the consent of any holder of debenture stock in such other company give to him, in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Directors.

Election.

Quorum.

25. At the first general meeting of the Company, and at each annual meeting, the holders of the capital stock present or represented by proxy shall choose not less than ten nor more than twenty persons to be directors of the Company, a majority of whom shall be a quorum.

Company not bound to see to execution of trusts.

26. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock, or debenture, or debenture stock, or any deposit or any other money payable by or in the hands of the Company may be subject, and the receipt of the party in whose name such share, debenture, debenture stock, deposit or money, stands in the books of the Company, shall from time to time be sufficient discharge to the Company for any payment made in respect of such share, debenture, debenture stock, deposit or money, notwithstanding any trust to which it may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Transmission of interest in shares otherwise than by transfers.

27. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture, or obligation of the Company, which bond, debenture or obligation is not payable to bearer, or in any deposit or any other money payable by or in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such

transmission to be entered upon the books of the Company, or to recognize such transmission in any manner, until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living and having power to execute the same, has been filed with the manager or secretary of the Company and approved by the directors; and if the declaration, purporting to be signed and executed, also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or of a British Consul, or vice-consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and, unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Requirements in case of transmission by will or intestacy.

28. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of any intestacy, the probate of the will or letters of administration or document testamentary, or other judicial or official instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purports to be granted by any court or authority in Canada, or in Great Britain or Ireland, or in any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom, shall, together with the declaration mentioned in section 27 of this Act, be produced and deposited with the manager, secretary treasurer, or other officer named by the directors for the purpose of receiving the same; and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture, or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or for transferring or consenting to the transfer of any bond, debenture, obligation or share or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to such probate, letters of administration or other such documents aforesaid.

Directors may apply to court in case of doubt.

29. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon any shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys

payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province where the head office of the Company is situated, a petition stating such doubts and praying for an order or judgment adjudicating and awarding the said shares, bond, debentures, obligations, dividends, coupons or proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, to the parties legally entitled thereto; and such court shall have authority to restrain any action, suit or proceedings against the Company, the directors and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters in question in such petition and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable the costs, charges and expenses of the Company in and about such petition and proceedings shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer or assent to the transfer of or to pay such shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found to be entitled thereto.

Proviso.

Costs if doubts reasonable.

Term for which land may be held.

30. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided that the Governor in Council may extend the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be in force until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions. Statement of lands subject to.

31. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement in duplicate, to and including the thirty-first day of December of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and giving such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such forms and with such details as he from time to time requires and prescribes; but the Company shall in no case be bound to disclose the names or private affairs of any person who has dealings with it. Annual statement to Minister of Finance.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty. Penalty for non-compliance.

32. Sections 52, 125, 126, 134, 135, 141, 161, 165 and 167 of *The Companies Act* shall not apply to the Company. R.S., c. 79.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL.

H

An Act to incorporate The British Canadian Loan Company.

Received and read a first time

Tuesday, 30th January, 1912.

Second reading

Thursday, 1st February, 1912.

Honourable Mr. Ross,
(Moose Jaw.)

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL H.

BILL AS PASSED FEBRUARY 9, 1912.

An Act to incorporate The British Western Loan Company.

Preamble.

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

Incorporation.

1. Peter McAra, Charles Willoughby, William H. Duncan, William T. Mollard and James Balfour, all of the city of Regina, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The British Western Loan Company," hereinafter called "the Company".

Corporate name.

Provisional directors.

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

Powers.

Capital stock.

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

Election of directors.

2. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed, and not less than

fifty thousand dollars of that amount have been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Regina, at which meeting shall be elected the board of directors of the Company, who shall hold office until their successors are elected; and upon the election of such board the functions of the provisional directors shall cease.

Qualification.

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

Head office.

4. The head office of the Company shall be at the city of Regina, in the province of Saskatchewan, or at such other place in Canada as the Company may from time to time

Other offices.

determine by by-law, but the directors may establish other offices and places of business elsewhere.

Meetings, calling of.

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

Notice.

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

Calls on 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; and any notice of call may be effectually given by sending the notice by registered letter post paid to the address of the shareholder as given in the books of the Company.

Conditions of commencing business.

7. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so;

Certificate.

and no application for such certificate shall be made, and and no such certificate shall be given, until the board of

directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company has been *bona fide* subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided, that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

Subscription of stock.

Cash deposit.

Time for application for certificate

Proviso: for case of certificate not being obtained.

8. The Company may lend money on the security of, or purchase or invest in,—

Business.

(*a*) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables;

Mortgages on real estate.

(*b*) the debentures, bonds, stocks and other securities of any government or any municipal corporation or school corporation, or of any chartered bank (to the extent of not more than twenty per cent of the paid up capital stock of any such bank); provided that the Company shall not lend upon the security of, or purchase, or invest in bills of exchange or promissory notes;

Stocks and securities.

Proviso.

(*c*) freehold real estate, subject to an agreement for sale, upon which not more than sixty per cent of the purchase price still remains to be paid under the said agreement for sale.

Freehold real estate.

2. The Company may take personal security as collateral for any advance made, or to be made, or contracted to be made by or for any debt due to the Company.

Personal security.

3. The Company shall not invest in, nor lend money upon the security of the stock of any other loan Company.

Stock of loan companies.

4. The Company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock to an amount not exceeding in the aggregate of all such loans ten per cent of the Company's paid-up stock, but no such loan shall exceed eighty per cent of the market price then actually offered for the stock; but the Company shall not, except as in this subsection provided, make any loan or advance upon the security of any share or stock of the Company, whether with or without collateral security.

Loans upon company's own stock.

9. The Company may act as an agency association for the interest and on behalf of others who entrust it with

Agency association.

money for that purpose, and may, either in the name of the Company, or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 8 of this Act; and may purchase and acquire any securities on which it is authorized to advance money, and resell the same.

Enforcement of agreements

2. The conditions and terms of such loans and advances, and of such purchases and re-sales, may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent or advanced, or such purchase and resale made; and the Company shall have the same powers in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of repayment.

3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any money entrusted to the Company for investment.

Employment of capital.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any money so entrusted to it as aforesaid; and may do, assent to, and exercise all acts whatsoever which, in the opinion of the directors, are requisite or expedient to be done in regard thereto.

Moneys guaranteed to be deemed borrowed.

5. All moneys as to which the repayment of the principal or payment of interest is guaranteed by the Company shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation of companies.

10. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

Moneys on deposit.

11. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time for payment and otherwise as may be agreed, and may issue its bonds, debentures and other securities for moneys borrowed:

Limitation of liability to the public.

Provided that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the amount paid upon its then actually paid up and unimpaired capital stock; but the amount of cash on hand, or deposited in chartered banks, belonging to the Company, shall be deducted from such total liability for the purposes of this section:

Limitation of amount held on deposit.

Provided also, that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of

its cash actually in hand or deposited in any chartered bank in Canada and belonging to the Company.

Loans to shareholders to be deducted from capital.

2. The loans or advances by the Company to its shareholders upon the security of their stock shall be deducted from the amount of the paid-up capital upon which the Company is authorized to borrow.

As to liabilities to the public.

3. The liabilities of any company which are assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of this section.

Decrease of capital.

12. The directors may, from time to time, by by-law, provide for the decrease of the capital stock of the Company to any amount not less than one hundred thousand dollars which they consider sufficient.

Contents of by-law.

2. Such by-law shall declare the number of the shares of the stock so decreased and the allotment thereof or the rules by which the same is to be made.

Rights of creditors preserved.

3. The liability of shareholders to persons who are, at the time the stock is decreased, creditors of the Company, shall remain as though the stock had not been decreased.

Requisites for validity of by-law.

13. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the issued capital stock of the Company represented at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance, given under the authority of the Treasury Board.

Certificate of Minister of Finance.

Requisites for such certificate.

14. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the Company, the amount of such decrease of capital may, by the certificate, be changed, and the decrease made subject to such conditions as the Treasury Board thinks proper.

Proviso.

Debenture stock.

15. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or pay-

To be included in estimates of liabilities to public.

ment thereof, and otherwise, and bearing such rate of interest, as the directors from time to time think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public, under section 11 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine.

Rank.

Transfer.

Register of debenture stock.

16. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head or other registered office of the Company in Canada or elsewhere, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and persual at all reasonable times to every mortgagee, debenture holder, bondholder, debenture-stockholder and shareholder of the Company without the payment of any fee or charge.

Contents.

Exchange of debentures.

17. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Cancellation of debenture stock.

18. The Company, having issued debenture stock, may from time to time, as it thinks fit and in the interest of the Company, but only with the consent of the holders thereof, buy up and cancel the debenture stock or any portion thereof.

Preference stock by-laws invalid till sanctioned.

19. No by-law to create and issue preference stock shall have any force or effect until it has been sanctioned, either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such shareholders present at the meeting or represented thereat by proxy holding not less than two-thirds of the amount paid upon the capital stock of the Company.

Reserve fund.

20. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing, improving or maintaining any of the property of

the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with all power to employ in the business of the Company the assets constituting the reserve fund, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations in section 8 of this Act.

Extension of business outside of Canada.

21. The Company may, in general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds of the paid-up capital stock of the Company are present or represented by proxy, pass a by-law authorizing its directors to extend the business of the Company outside of Canada; and the directors may give effect to such by-law without being liable or responsible as for any breach of trust in so doing.

Property and buildings for agencies abroad.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada, the Company may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest moneys of the Company in the acquisition of property for the erection of or purchase of buildings required for the occupation or use of the Company in any place where the Company is so carrying on business.

Agencies abroad.

22. The Company may have agencies in any places in Great Britain, or elsewhere, for the registration and transfer of debenture or other stock, and for the transaction of any other business of the Company.

Power to acquire business, etc., of other companies.

23. The Company may purchase, acquire and undertake, the whole or any part of the business, assets, rights, credits, effects, and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and good-will of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock either fully paid up or partly paid up, or in any other manner; and the Company and any such other company may enter into agreements for such purchase and sale and do

Payment.

Power to other companies to sell.

Proviso.

Approval of Treasury Board.

all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

Issue of debenture stock in lieu of debenture stock of other companies.

24. In case any company whose assets are acquired by the Company has issued debenture stock, and such debenture stock is outstanding at the date of such acquisition, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding as aforesaid, and may with the consent of any holder of debenture stock in such other company give to him, in lieu of the debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Directors.

Election.

Quorum.

25. At the first general meeting of the Company, and at each annual meeting, the holders of the capital stock present or represented by proxy shall choose not less than ten nor more than twenty persons to be directors of the Company, a majority of whom shall be a quorum.

Company not bound to see to execution of trusts.

26. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock, or debenture, or debenture stock, or any deposit or any other money payable by or in the hands of the Company may be subject, and the receipt of the party in whose name such share, debenture, debenture stock, deposit or money, stands in the books of the Company, shall from time to time be sufficient discharge to the Company for any payment made in respect of such share, debenture, debenture stock, deposit or money, notwithstanding any trust to which it may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Transmission of interest in shares otherwise than by transfers.

27. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture, or obligation of the Company, which bond, debenture or obligation is not payable to bearer, or in any deposit or any other money payable by or in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such

transmission to be entered upon the books of the Company, or to recognize such transmission in any manner, until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living and having power to execute the same, has been filed with the manager or secretary of the Company and approved by the directors; and if the declaration, purporting to be signed and executed, also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or of a British Consul, or vice-consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and, unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Requirements in case of transmission by will or intestacy.

28. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of any intestacy, the probate of the will or letters of administration or document testamentary, or other judicial or official instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purports to be granted by any court or authority in Canada, or in Great Britain or Ireland, or in any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom, shall, together with the declaration mentioned in section 27 of this Act, be produced and deposited with the manager, secretary treasurer, or other officer named by the directors for the purpose of receiving the same; and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture, or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or for transferring or consenting to the transfer of any bond, debenture, obligation or share or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to such probate, letters of administration or other such documents aforesaid.

Directors may apply to court in case of doubt.

29. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon any shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys

payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province where the head office of the Company is situated, a petition stating such doubts and praying for an order or judgment adjudicating and awarding the said shares, bond, debentures, obligations, dividends, coupons or proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, to the parties legally entitled thereto; and such court shall have authority to restrain any action, suit or proceedings against the Company, the directors and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters in question in such petition and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable the costs, charges and expenses of the Company in and about such petition and proceedings shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer or assent to the transfer of or to pay such shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found to be entitled thereto.

Proviso.

Costs if doubts reasonable.

Term for which land may be held.

30. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided that the Governor in Council may extend the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be in force until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions. Statement of lands subject to.

31. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement in duplicate, to and inc'uding the thirty-first day of December of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and giving such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such forms and with such details as he from time to time requires and prescribes; but the Company shall in no case be bound to disclose the names or private affairs of any person who has dealings with it. Annual statement to Minister of Finance.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty. Penalty for non-compliance.

32. Sections 125, 126, 134, 141, 161, 165 and 167 of *The Companies Act* shall not apply to the Company. R.S., c. 79.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I.

An Act respecting The Trust and Loan Company of Canada.

Preamble. 1910 c. 168.

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

New. s. 13 Capital stock.

1. Section 13 of chapter 168 of the statutes of 1910 is hereby repealed and the following section is substituted therefor:—

"**13.** The authorized capital stock of the Company shall be five million pounds sterling divided into two hundred and fifty thousand shares of twenty pounds sterling each."

Savings clause as to powers of directors.

2. Nothing in this Act contained shall be construed as limiting or otherwise affecting any of the powers conferred on the directors by section 10 of the said chapter 168.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

I

An Act respecting The Trust and Loan Company of Canada.

Received and read a first time

Thursday 1st February, 1912.

Second reading

Tuesday, 6th February, 1912.

Honourable Sir Richard Scott.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I.

AS PASSED BY THE SENATE, FEBRUARY 15, 1912.

An Act respecting The Trust and Loan Company of Canada.

Preamble.
1910 c. 168.

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

New. s. 13.

1. Section 13 of chapter 168 of the statutes of 1910 is hereby repealed and the following section is substituted therefor:—

Capital stock.

"**13.** The authorized capital stock of the Company shall be five million pounds sterling divided into two hundred and fifty thousand shares of twenty pounds sterling each."

Savings clause as to powers of directors.

2. Nothing in this Act contained shall be construed as limiting or otherwise affecting any of the powers conferred on the directors by section 10 of the said chapter 168.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL J.

An Act respecting the Methodist Church.

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

1. Section 5 of chapter 106 of the statutes of 1884, intituled *An Act respecting the Union of certain Methodist Churches therein named*, is hereby amended by adding thereto the following words:— 1884, c. 106. s. 5 amended.

"And such trustees and their successors from time to time appointed under the provisions of the said Schedule B. may also receive, hold, use, administer and dispose of any property, real or personal, devised, bequeathed, given or transferred to them for the special use of the said congregation, circuit, station or mission, by way of endowment or otherwise, in accordance with the trusts declared in the will, deed or other instrument creating such trust, and not contrary to the by-laws, rules, and regulations of the said corporation; and in the event of the failure or partial failure of any trusts so declared, the same may be held, used, administered or disposed of for the purposes and in the manner from time to time provided by the by-laws, rules or regulations of the said corporation." Power to hold and administer property for special use of individual congregations, etc.

2. Section 8 of the said Act is hereby amended by adding thereto the following subsections:— S. 8 amended.

"2. The said corporation may authorize and empower any annual conference from time to time existing to establish, Appointment of city mission

boards and church extension boards.

by resolution of the said conference, city mission boards or church extension boards, or either, in accordance with the by-laws, rules or regulations of the corporation; and every such board so established shall be a body corporate, with such membership organization, powers, rights, and duties as are not inconsistent with this Act, including the acquiring, holding, administration and disposal of any property real or personal, for such purposes of the said board as are defined from time to time by the corporation.

Appointment of boards of trust.

"3. The said corporation may authorize and empower any annual conference from time to time existing to establish, by resolution of the said conference, a board of trust in accordance with the by-laws, rules or regulations of the corporation; and every such board so established shall be a body corporate, with such membership, organization, powers, rights and duties, not inconsistent with this Act, including the acquiring, holding, administration and disposal of all property, real or personal, which may be devised, bequeathed, granted or conveyed to such board for the purposes of such annual conference or for such purposes of the Church within the bounds of such conference as are defined from time to time by the corporation.',

Schedule B, para. 16 amended.

Application of price of sale of land.

3. Paragraph 16 of Schedule B of the said Act is hereby amended by adding, after the word "conference" in the sixty-fourth line of Column Two thereof, the words "or to such other purposes as the said annual conference may from time to time determine under the rules and regulations of the General Conference."

Schedule B, para. 21 amended.

As to trustees, and vacances and replacement.

4. Paragraph 21 of Schedule B of the said Act is hereby amended as follows:—

(1) By inserting between the words "distance" and "as" in the sixteenth line of Column Two thereof, the words "or shall fail to attend the meetings of the trustees for such period not less than one year, nor embracing less than three consecutive meetings."

(2) By inserting after the word "co-trustees", in the eighteenth line of Column Two thereof, the words "at a meeting duly called to consider the matter."

(3) By inserting between the words "church" and "or", in the twenty-third line of Column Two thereof, the words "failing to attend."

(4) By inserting between the words "and" and "shall" in the twenty-sixth line of Column Two thereof, the words "thereupon and from time to time, as often as a vacancy or vacancies shall occur, the surviving or remaining trustee or trustees may by a two-thirds vote reduce the number of the trustees by one or more up to the number of such vacancies, provided the number remaining shall be not less

than five, but should such resolution not be passed by the said surviving or remaining trustees such vacancy."

5. Paragraph 22 of Schedule B of the said Act is hereby amended by adding, after the word "quorum" in the third line of Column Two thereof, the words "save when the number of trustees exceeds nine, when five shall form a quorum." Schedule B, para. 22 amended. Quorum of trustees.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

J

An Act respecting The Methodist Church.

Received and read a first time

Friday, 2nd February, 1912.

Second reading

Tuesday, 6th February, 1912.

Honourable SIR MACKENZIE BOWELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL J.

AS PASSED BY THE SENATE 6th MARCH, 1912.

An Act respecting the Methodist Church.

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

1884, c. 106. s. 5 amended.

1. Section 5 of chapter 106 of the statutes of 1884, intituled *An Act respecting the Union of certain Methodist Churches therein named*, is hereby amended by adding thereto the following words:—

Power to hold and administer property for special use of individual congregations, etc.

"And such trustees and their successors from time to time appointed under the provisions of the said Schedule B. may also receive, hold, use, administer and dispose of any property, real or personal, devised, bequeathed, given or transferred to them for the special use of the said congregation, circuit, station or mission, by way of endowment or otherwise, in accordance with the trusts declared in the will, deed or other instrument creating such trust, and not contrary to the by-laws, rules, and regulations of the said corporation; and in the event of the failure or partial failure of any trusts so declared, the same may be held, used, administered or disposed of for such purposes and in such manner, from time to time provided by the by-laws, rules or regulations of the said corporation, as are not inconsistent with this Act, and subject, as regards any real or personal property, to such provincial law as may apply thereto."

S. 8 amended.

2. Section 8 of the said Act is hereby amended by adding thereto the following subsections:—

Appointment of city mission boards and church extension boards.

"2. The said corporation may authorize and empower any annual conference from time to time existing to establish, by resolution of the said conference, city mission boards or church extension boards, or either, in accordance with the by-laws, rules or regulations of the corporation; and every such board so established shall be a body corporate, with such membership; organization, powers, rights, and duties as are not contrary to law nor inconsistent with this Act, including the acquiring, holding, administration and disposal of any property, real or personal, for such purposes of the said board as are defined from time to time by the corporation.

Appointment of boards of trust.

"3. The said corporation may authorize and empower any annual conference from time to time existing to establish, by resolution of the said conference, a board of trust in accordance with the by-laws, rules or regulations of the corporation; and every such board so established shall be a body corporate, with such membership, organization, powers, rights and duties, as are not contrary to law nor inconsistent with this Act, including the acquiring, holding, administration and disposal of all property, real or personal, which may be devised, bequeathed, granted or conveyed to such board for the purposes of the Church within the bounds of such conference as are defined from time to time by the corporation.

Power to alienate property.

"4. The said corporation, or any body corporate created under the provisions of this Act, or any trustees appointed under Schedule B hereto, may, in the manner authorized by the by-laws, rules or regulations of the said corporation, give, grant, convey or otherwise alienate any property, real or personal, held by them respectively, to any other church, corporation or missionary organization, or any trustees thereof, in pursuance of any agreement or understanding entered into, with such church, corporation, or missionary organization, for co-operation in carrying on religious work."

Schedule B, para. 16 amended.

Application of price of sale of land.

3. Paragraph 16 of Schedule B of the said Act is hereby amended by adding, after the word "conference" in the sixty-fourth line of Column Two thereof, the words "or to such other purposes as the said annual conference may from time to time determine under the rules and regulations of the General Conference."

Schedule B, para. 21 amended.

As to trustees, and vacancies and replacement.

4. Paragraph 21 of Schedule B of the said Act is hereby amended as follows:—

(1) By inserting between the words "distance" and "as" in the sixteenth line of Column Two thereof, the words "or shall fail to attend the meetings of the trustees for

such period not less than one year, nor embracing less than three consecutive meetings."

(2) By inserting after the word "co-trustees", in the eighteenth line of Column Two thereof, the words "at a meeting duly called to consider the matter."

(3) By inserting between the words "church" and "or", in the twenty-third line of Column Two thereof, the words "failing to attend."

(4) By inserting between the words "and" and "shall" in the twenty-sixth line of Column Two thereof, the words "thereupon and from time to time, as often as a vacancy or vacancies shall occur, the surviving or remaining trustee or trustees may by a two-thirds vote reduce the number of the trustees by one or more up to the number of such vacancies, provided the number remaining shall be not less than five, but should such resolution not be passed by the said surviving or remaining trustees such vacancy."

Schedule B, para. 22 amended.

Quorum of trustees.

5. Paragraph 22 of Schedule B of the said Act is hereby amended by adding, after the word "quorum" in the third line of Column Two thereof, the words "save when the number of trustees exceeds nine, when five shall form a quorum."

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL K.

An Act to change the Name of Ezra Butler Eddy Bessey.

Preamble. WHEREAS Ezra Butler Eddy, late of the city of Hull in the province of Quebec, manufacturer, departed this life on the tenth day of February, A.D. 1906, leaving a last will and testament bearing date the sixth day of April, A.D. 1903, probate whereof was granted by a judge of the Superior Court of the province of Quebec on the sixteenth day of February, A.D. 1906: and whereas by the terms of the said will a bequest was made to Ezra Butler Eddy Bessey, a grandson of the testator, on condition that he should within two years of attaining his majority adopt the name of Ezra Butler Eddy, in substitution for his name Ezra Butler Eddy Bessey; and whereas the said Ezra Butler Eddy Bessey attained his majority on or about the tenth day of February, A.D. 1911; and whereas he has by petition prayed that it be enacted as hereafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change of name. **1.** The name of the said Ezra Butler Eddy Bessey shall hereafter be Ezra Butler Eddy.

Rights saved. **2.** The change of name effected by section 1 of this Act shall not in any way impair, alter or affect any right, obligation or liability of the said Ezra Butler Eddy Bessey, save only so far as the same are concerned in the will of the late Ezra Butler Eddy, mentioned in the preamble of this

Act, nor in anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the said Ezra Butler Eddy Bessey, which, notwithstanding such change in his name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

K

An Act to change the Name of Ezra Butler Eddy Bessey.

Received and read a first time

Tuesday, 6th February, 1912.

Second reading

Tuesday, 13th February, 1912.

Honourable Mr. EDWARDS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL K.

AS PASSED BY THE SENATE, 27th FEBRUARY, 1912.

An Act to change the Name of Ezra Butler Eddy Bessey.

Preamble. WHEREAS Ezra Butler Eddy, late of the city of Hull in the province of Quebec, manufacturer, departed this life on the tenth day of February, A.D. 1906, leaving a last will and testament bearing date the sixth day of April, A.D. 1903, probate whereof was granted by a judge of the Superior Court of the province of Quebec on the sixteenth day of February, A.D. 1906: and whereas by the terms of the said will a bequest was made to Ezra Butler Eddy Bessey, a grandson of the testator, on condition that he should within two years of attaining his majority adopt the name of Ezra Butler Eddy, in substitution for his name Ezra Butler Eddy Bessey; and whereas the said Ezra Butler Eddy Bessey attained his majority on or about the tenth day of February, A.D. 1911; and whereas he has by petition prayed that it be enacted as hereafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Change of name. **1.** The name of the said Ezra Butler Eddy Bessey shall hereafter be Ezra Butler Eddy.

Rights saved. **2.** The change of name effected by section 1 of this Act shall not in any way impair, alter or affect any right, obligation or liability of the said Ezra Butler Eddy Bessey, save only so far as the same are concerned in the will of the late Ezra Butler Eddy, mentioned in the preamble of this

Act, nor in anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the said Ezra Butler Eddy Bessey, which, notwithstanding such change in his name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL L.

An Act for the relief of Edna Wells.

Preamble.

WHEREAS Edna Wells, presently residing at the city of London, in the province of Ontario, wife of William Edwin Wells, formerly of the said city of London, has by her petition alleged, in effect, that they were lawfully married on the eleventh day of August, 1903, at the said city of London, she then being Edna Gould, spinster; that the legal domicile of the said William Edwin Wells was then and is now in Canada; that at the city of London, in the province of Ontario, on divers occasions during the year 1910, and more particularly in the month of December, 1910, he committed adultery with one Gladys Pinch; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Edna Gould and William Edwin Wells, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Edna Gould may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Edwin Wells had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

L

An Act for the relief of Edna Wells.

Received and read a first time

Tuesday, 6th February, 1912.

Second reading

Thursday, 8th February, 1912.

Honourable MR. RATZ.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL L.

AS PASSED BY THE SENATE, FEBRUARY 9, 1912.

An Act for the relief of Edna Wells.

Preamble.

WHEREAS Edna Wells, presently residing at the city of London, in the province of Ontario, wife of William Edwin Wells, formerly of the said city of London, has by her petition alleged, in effect, that they were lawfully married on the eleventh day of August, 1903, at the said city of London, she then being Edna Gould, spinster; that the legal domicile of the said William Edwin Wells was then and is now in Canada; that at the city of London, in the province of Ontario, on divers occasions during the year 1910, and more particularly in the month of December, 1910, he committed adultery with one Gladys Pinch; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Edna Gould and William Edwin Wells, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Edna Gould may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Edwin Wells had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL M.

An Act respecting certain patents of The Continental Can Company.

Preamble.

WHEREAS, The Continental Can Company, a corporation organized and existing under the laws of the state of New Jersey and having its principal place of business at Baltimore, in the state of Maryland, one of the United States of America, has by its petition represented that it is the owner of patents granted by the Dominion of Canada, No. 120,787, granted on September 28th, 1909, for devices for feeding cans to an operating mechanism; No. 121,640, granted on November 2nd, 1909, for methods for cutting discs; No. 121,891, granted on November 16th, 1909, for head seaming mechanism for can bodies; No. 122,997, granted on December 28th, 1909, for die cutting machines; No. 122,998, granted on December 28th, 1909, for method of cutting discs from sheet metal; No. 126,470, granted on June 1st, 1910, for lap-seam body former; No. 126,691 granted July 5th, 1910, for machines for making cans; and No. 124,943, granted on April 24th, 1910, for can centering and truing device; and whereas the said corporation has by its said petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to Commissioner of Patents to order that certain conditions

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may, within three months after the passing of this Act, receive petitions for the making of, and may make, orders that all or any of the said patents, instead of being subject

shall apply instead of certain others.
R. S., c. 69, Ss. 38, 44.

to the conditions set forth in paragraph (*a*) of section 38 of *The Patent Act*, shall be subject to the conditions set forth in paragraphs (*a*), (*b*), (*c*) and (*d*) of section 44 of *The Patent Act*.

2. Nothing in this Act contained shall be taken to render valid any patent mentioned in the preamble, if at the date of the passing of this Act, such patent had become void for failure to comply with the provisions of section 38 of *The Patent Act*.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

M

An Act respecting certain patents of The Continental Can Company.

Received and read a first time

Wednesday, 7th February, 1912.

Second reading

Friday, 9th February, 1912.

Honourable MR. BELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL M.

AS PASSED BY THE SENATE, 27th FEBRUARY, 1912.

An Act respecting certain patents of The Continental Can Company.

Preamble.

WHEREAS The Continental Can Company, a corporation organized and existing under the laws of the state of New Jersey and having its principal place of business at Baltimore, in the state of Maryland, one of the United States of America, has by its petition represented that it is the owner of patents granted by the Dominion of Canada, No. 120,787, granted on September 28th, 1909, for devices for feeding cans to an operating mechanism; No. 121,640, granted on November 2nd, 1909, for methods for cutting discs; No. 121,891, granted on November 16th, 1909, for head seaming mechanism for can bodies; No. 122,997, granted on December 28th, 1909, for die cutting machines; No. 122,998, granted on December 28th, 1909, for method of cutting discs from sheet metal; No. 126,470, granted on June 1st, 1910, for lap-seam body former; No. 126,691 granted July 5th, 1910, for machines for making cans; and No. 124,943, granted on April 24th, 1910, for can centering and truing device; and whereas the said corporation has by its said petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power to Commissioner of Patents to order that certain conditions

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may, within three months after the passing of this Act, receive petitions for the making of, and may make, orders that all or any of the said patents, instead of being subject

shall apply instead of certain others.
R. S., c. 69, Ss. 38, 44.

to the conditions set forth in paragraph (*a*) of section 38 of *The Patent Act*, shall be subject to the conditions set forth in paragraphs (*a*), (*b*), (*c*) and (*d*) of section 44 of *The Patent Act*.

2. Nothing in this Act contained shall be taken to render valid any patent mentioned in the preamble, if at the date of the passing of this Act, such patent had become void for failure to comply with the provisions of section 38 of *The Patent Act*.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL N.

An Act to incorporate the Dominion Pacific Railway Company.

Preamble.

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

Incorporation.

1. John E. Askwith, J. Ogle Carss, William R. Askwith and Oliver E. Culbert, all of the city of Ottawa in the province of Ontario, and Herbert McIntyre McCallum, of the city of Regina in the province of Saskatchewan, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Dominion Pacific Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

Calls thereon.

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

Issue of preference stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy,

Priority.

may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference or priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be in the city of Ottawa in the province of Ontario.

Annual meeting.

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

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point on the International boundary at or near range twenty-three west of the fourth meridian in the province of Alberta, thence northwesterly to the town of Cardston, thence north-westerly, via the town of Pincher Creek, to a point on the Crow's Nest branch of the Canadian Pacific Railway at or near Lundbreck, thence northerly and west of the Porcupine Hills to the city of Calgary, thence northerly and west of Snake Lake, Gull Lake and Pigeon Lake to the city of Edmonton, thence in a generally northwesterly direction to Fort St. John in the province of British Columbia; with a branch line from a point on the said main line west of the town of Pincher Creek, in a generally southwesterly direction and along the south fork of the Old Man River to the boundary of the province of British Columbia.

Consent of municipalities.

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

Issue of securities.

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

Issue of securities for purposes other than railway.

11. In addition to the securities authorized by section 10 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Limitation.

Telegraphs and telephones.

R.S., c. 37.

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

Tolls and charges.

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

R.S., c. 126.

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

Transmission and delivery of power and electricity.

13. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the district through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

R.S., c. 37.

Consent of municipalities required

14. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any tele-

for telegraph and telephone lines upon highways, etc.

R.S., c. 126.

graph or telephone lines, or any lines for the purpose of dirtributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Vessels.

Wharfs, docks, etc.

Warehousemen and wharfingers.

15. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Agreements with other companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Alberta Pacific Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Great Northern Railway Company, the Southern Central Pacific Railway Company, the Kootenay and Alberta Railway Company, the Canadian Western Railway Company, the Alberta Peace River and Eastern Railway Company and the Pacific, Trans-Canada and Hudson Bay Railway Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

N

An Act to incorporate The Dominion Pacific Railway Company.

Received and read a first time

Thursday, 8th February, 1912.

Second reading

Tuesday, 13th February, 1912.

Honourable Mr. EDWARDS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL N.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act to incorporate The Western Dominion Railway Company.

Preamble.

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

Incorporation.

1. John E. Askwith, J. Ogle Carss, William R. Askwith and Oliver E. Culbert, all of the city of Ottawa in the province of Ontario, and Herbert McIntyre McCallum, of the city of Regina in the province of Saskatchewan, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Western Dominion Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock. Calls thereon.

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

Issue of preference stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy,

Priority.

may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference or priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be in the city of Ottawa in the province of Ontario.

Annual meeting.

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

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point on the International boundary at or near range twenty-three west of the fourth meridian in the province of Alberta, thence northwesterly to the town of Cardston, thence north-westerly, via the town of Pincher Creek, to a point on the Crow's Nest branch of the Canadian Pacific Railway at or near Lundbreck, thence northerly and west of the Porcupine Hills to the city of Calgary, thence northerly and west of Snake Lake, Gull Lake and Pigeon Lake to the city of Edmonton, thence in a generally northwesterly direction to Fort St. John in the province of British Columbia; with a branch line from a point on the said main line west of the town of Pincher Creek, in a generally southwesterly direction and along the south fork of the Old Man River to the boundary of the province of British Columbia.

Consent of municipalities.

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

Issue of securities.

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

11. In addition to the securities authorized by section 10 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Issue of securities for purposes other than railway.

Limitation.

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

Telegraphs and telephones.

R.S., c. 37.

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

Tolls and charges.

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

R.S., c. 126.

13. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the district through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of power and electricity.

R.S., c. 37.

14. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any tele-

Consent of municipalities required

for telegraph and telephone lines upon highways, etc.

graph or telephone lines, or any lines for the purpose of dirtributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

R.S., c. 126.

Vessels.

15. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Wharfs, docks, etc.

Warehousemen and wharfingers.

Agreements with other companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Alberta Pacific Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Great Northern Railway Company, the Southern Central Pacific Railway Company, the Kootenay and Alberta Railway Company, the Canadian Western Railway Company, the Alberta Peace River and Eastern Railway Company and the Pacific, Trans-Canada and Hudson Bay Railway Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL O.

An Act respecting The Protectorate Life Assurance Company of Canada.

Preamble
1910, c. 151.

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

Powers to do business revived and continued.
1910, c. 32 s. 78.

1. Notwithstanding anything in section 78 of *The Insurance Act* contained, chapter 151 of the statutes of 1910, incorporating The Protectorate Life Assurance Company of Canada, shall be deemed not to have expired and ceased to be in force after the fourth day of May 1912, but to have continued and to be in force.

License.

2. The Minister of Finance may, at any time not later than the fourth day of May 1913, under and subject to the provisions of *The Insurance Act* grant to the said company the license necessary for carrying on business.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

0

An Act respecting The Protectorate Life Assurance Company of Canada.

Received and read a first time

Thursday 8th February, 1912.

Second reading

Tuesday, 13th February, 1912.

Honourable Mr. Edwards.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Q.

An Act to incorporate The Universal Eyesight Insurance Company.

Preamble.

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

Incorporation.

1. Albert Cleland, gentleman, Samuel Johnson McCoppen, undertaker, William Robert Hartley, merchant, Emmer V. Enoch, insurance broker, and Francis John Folinsbee, M. D., physician, all of the city of Edmonton in the province of Alberta, together with such persons as become shareholders in the company are hereby incorporated under the name of "The Universal Eyesight Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be two hundred thousand dollars.

Subscription before General Meeting.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars.

Commencement of business.

5. The Company shall not commence business until one hundred thousand dollars of the capital stock have been

subscribed, and twenty-five thousand dollars have been paid thereon.

Head Office.

6. The head office of the Company shall be in the city of Edmonton in the province of Alberta.

Business which may be carried on.

7. The Company may make contracts of insurance with any person in so far as eyes and eyesight are concerned, and may provide for indemnity in case of loss of sight or injury to eyes by any cause whatsoever.

1910, c. 32 to apply.

8. *The Insurance Act,* 1910, shall apply to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

Q

An Act to incorporate The Universal Eyesight Insurance Company.

Received and read a first time

Friday, 9th February, 1912.

Second reading

Wednesday, 14th February, 1912.

Honourable Mr. MITCHELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Q.

AS PASSED BY THE SENATE, 5th MARCH, 1912.

An Act to incorporate The Universal Eyesight Insurance Company.

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

1. Albert Cleland, gentleman, Samuel Johnson McCoppen, undertaker, William Robert Hartley, merchant, Emmer V. Enoch, insurance broker, and Francis John Folinsbee, M.D., physician, all of the city of Edmonton in the province of Alberta, together with such persons as become shareholders in the company are hereby incorporated under the name of "The Universal Eyesight Insurance Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be two hundred and fifty thousand dollars. Capital stock.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred and fifty thousand dollars. Subscription before General Meeting.

5. The Company shall not commence business until two hundred thousand dollars of the capital stock have been Commencement of business.

subscribed and seventy-five thousand dollars have been paid thereon.

Head Office.

6. The head office of the Company shall be in the city of Edmonton in the province of Alberta.

Business which may be carried on.

7. The Company may make contracts of insurance with any person in so far as eyes and eyesight are concerned, and may provide for indemnity in case of loss of sight or injury to eyes by any cause whatsoever.

Reserve liability.

8. The provisions of *The Insurance Act, 1910*, regarding the calculation of reserve liability, shall not be applicable to the Company.

How reserve liability is to be estimated.

9. In the annual statements which the Company is required to furnish to the Superintendent of Insurance under the said Act, the Company shall be chargeable as a liability in respect of ts policies outstanding and unmatured at the date of such statements, with such sum as the said Superintendent finds to be necessary, estimated or calculated upon the basis of the best available statistics applicable to the business carried on by the Company, due regard being had in such calculation to the provis ons of the said policies.

Forms of policies.

10. No policy shall be issued by the Company until the form thereof including the application therefor has been approved by the Superintendent of Insurance.

Application of 1910, c. 32.

11. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL R.

An Act for the relief of Herbert Horsfall.

Preamble.

WHEREAS Herbert Horsfall of the City of Montreal, in the province of Quebec, has by his petition alleged, in effect, that on the twentieth day of December, A.D. 1903, at the town of Burslem, in the county of Stafford, England, he was lawfully married to Rosannah Brammer; that she was then of the said town of Burslem, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Montreal, in the province of Quebec, during the month of September, A.D. 1911, she lived as wife with husband with one Hyman P. Nerwich and committed adultery with the said Hyman P. Nerwich; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Herbert Horsfall and Rosannah Brammer, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again

2. The said Herbert Horsfall may at any time hereafter marry any woman he might lawfully marry if said marriage with the said Rosannah Brammer had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

R

An Act for the relief of Herbert Horsfall.

Received and read a first time

Friday, 9th February, 1912.

Second reading

Wednesday, 14th February, 1912.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL R.

AS PASSED BY THE SENATE, 15th FEBRUARY, 1912,

An Act for the relief of Herbert Horsfall.

Preamble.

WHEREAS Herbert Horsfall of the City of Montreal, in the province of Quebec, has by his petition alleged, in effect, that on the twentieth day of December, A.D. 1903, at the town of Burslem, in the county of Stafford, England, he was lawfully married to Rosannah Brammer; that she was then of the said town of Burslem, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Montreal, in the province of Quebec, during the month of September, A.D. 1911, she lived as wife with husband with one Hyman P. Nerwich and committed adultery with the said Hyman P. Nerwich; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Herbert Horsfall and Rosannah Brammer, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again

2. The said Herbert Horsfall may at any time hereafter marry any woman he might lawfully marry if said marriage with the said Rosannah Brammer had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL S.

An Act for the relief of Kenneth Molson.

Preamble.

WHEREAS Kenneth Molson, of the city of Quebec, in the province of Quebec, merchant, has by his petition alleged, in effect, that on the fourteenth day of April, 1899, at the city of Hamilton, in the province of Ontario, he was lawfully married to Mary Letitia Snider; that she was then of the said city of Hamilton, a spinster; that his legal domicile was then and is now in Canada; that at the city of Harrogate, in the county of Yorkshire, England, in the period between the beginning of June, 1911, and the beginning of January, 1912, she lived, as wife with husband, with one Harold Tinker, and committed adultery with the said Harold Tinker; that he has not connived at nor condoned the said adultery; that there has not been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Kenneth Molson and Mary Letitia Snider, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Kenneth Molson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mary Letitia Snider had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

S

An Act for the relief of Kenneth Molson.

Received and read a first time

Friday, 9th February, 1912.

Second reading

Wednesday, 14th February, 1912.

Honourable Mr. Mitchell.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL S.

AS PASSED BY THE SENATE, 15th FEBRUARY, 1912.

An Act for the relief of Kenneth Molson.

Preamble.

WHEREAS Kenneth Molson, of the city of Quebec, in the province of Quebec, merchant, has by his petition alleged, in effect, that on the fourteenth day of April, 1899, at the city of Hamilton, in the province of Ontario, he was lawfully married to Mary Letitia Snider; that she was then of the said city of Hamilton, a spinster; that his legal domicile was then and is now in Canada; that at the city of Harrogate, in the county of Yorkshire, England, in the period between the beginning of June, 1911, and the beginning of January, 1912, she lived, as wife with husband, with one Harold Tinker, and committed adultery with the said Harold Tinker; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Kenneth Molson and Mary Letitia Snider, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Kenneth Molson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mary Letitia Snider had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL T.

An Act respecting The Rainy River Radial Railway Company.

Preamble.

1910, c. 152.

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

Time for construction of railway extended.

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

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

T

An Act respecting The Rainy River Radial Railway Company.

Received and read a first time

Tuesday, 13th February, 1912.

Second reading

Thursday, 15th February, 1912.

Honourable Mr. Watson.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL U.

An Act for the relief of James Denny.

Preamble.

WHEREAS James Denny, of the city of Brandon, in the province of Manitoba, has by his petition alleged, in effect, that on the seventh day of July, 1902, at the city of Manchester, in the county of Manchester, England, he was lawfully married to Isabella Mount; that she was then of the town of Hulme, in the county of Manchester, England, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Edmonton, in the province of Alberta, between the end of June, 1910, and the beginning of November, 1910, she lived with one Willoughby Glass as wife with husband and committed adultery with the said Willoughby Glass; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between James Denny and Isabella Mount, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said James Denny may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Isabella Mount had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

U

An Act for the relief of James Denny.

Received and read a first time

Tuesday, 13th February, 1912.

Second reading

Thursday, 15th February, 1912.

Honourable Mr. Derbyshire.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL U.

AS PASSED BY THE SENATE 16th FEBRUARY, 1912.

An Act for the relief of James Denny.

WHEREAS James Denny, of the city of Brandon, in the province of Manitoba, has by his petition alleged, in effect, that on the seventh day of July, 1902, at the city of Manchester, in the county of Manchester, England, he was lawfully married to Isabella Mount; that she was then of the town of Hulme, in the county of Manchester, England, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Edmonton, in the province of Alberta, between the end of June, 1910, and the beginning of November, 1910, she lived with one Willoughby Glass as wife with husband and committed adultery with the said Willoughby Glass; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between James Denny and Isabella Mount, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to marry again.

2. The said James Denny may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Isabella Mount had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL V.

An Act respecting The Grand Trunk Pacific Railway Company.

WHEREAS The Grand Trunk Pacific Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 122. 1904, c. 32 c. 80. 1905, c. 98. 1906, c. 36 c. 100. 1907, c. 52. 1908, c. 32 1909, c. 19, c. 66, c. 84, c. 85.

1. This Act may be cited as *The Grand Trunk Pacific Act*, 1912. Short Title.

2. The directors of The Grand Trunk Pacific Railway Company, hereinafter called "the Company", being first empowered in that behalf by the shareholders, as required by section 136 of *The Railway Act*, may from time to time make and issue perpetual or terminable debenture stock payable in Canadian currency or in sterling money of Great Britain for a principal amount not exceeding in the whole twenty-five million dollars, or the equivalent thereof in pounds sterling, and may apply the proceeds thereof towards the completion of the Company's railway, the providing of equipment, and to the general purposes of the Company. Power to issue debenture stock. Amount. Application.

3. Previous to each issue of any such debenture stock, the Company shall pass a by-law providing therefor and for the convenient transfer and registration of the debenture stock to be issued thereunder, and for all other matters incidental to each such issue and its management; each such by-law shall form the basis of the issue of the deben- Conditions of issue. Effect and contents of by-law.

ture stock therein referred to and be effectual for the purpose of such issue, and shall also prescribe the amount of such debenture stock to be issued thereunder, the rate of interest payable thereon, which, if deemed expedient, may be different for each issue, the dates and place of payment of such interest and of the principal of such debenture stock, if terminable, and shall also declare and define the rights, privileges and remedies of the holders of such debenture stock (who shall not as between themselves be entitled to any preference or priority) and the liability, rights, privileges and remedies of The Grand Trunk Railway Company of Canada as guarantor thereof under any guarantee duly authorized.

By-law not to be altered.

2. Otherwise than as therein provided, no such by-law shall be altered in any matter affecting the interests of the holders of the debenture stock issued thereunder.

Deposit of copy.

3. A certified copy of each by-law, authenticated by the seal of the Company, shall be deposited in the office of the Secretary of State of Canada.

Rank and charge.

1906, c. 100.

4. The debenture stock from time to time issued under the authority of this Act shall rank equally and be consolidated with the debenture stock issued, or to be issued, under the authority of chapter 100 of the statutes of 1906, and shall create and constitute a lien or charge, ranking next and immediately after the securities mentioned in the schedule to said chapter 100, upon the railway, undertaking, equipment, property, rights and franchises of the Company described in the respective deeds of trust by way of mortgage which are set forth in schedules A, B and C to chapter 98 of the statutes of 1905.

1905, c. 98.

Commencement of Act.

5. The provisions of this Act shall not take effect unless and until the Act has been submitted to a general meeting of the Company, to be held after due notice of its intended submission to such meeting has been given, and has been assented to and accepted by a majority of the votes of the persons present or represented by proxy and entitled to vote thereat.

Certificate of chairman.

2. The certificate in writing of the chairman of such meeting shall be sufficient evidence of the acceptance of this Act; and such certificate shall be filed in the office of the Secretary of State of Canada, and notice thereof shall be published by the Company in *The Canada Gazette*.

Fixing.

Notice.

Evidence.

3. Copies of such certificate, certified by the Secretary of State of Canada, shall be taken and accepted in all courts of law as sufficient evidence of such acceptance.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

V

An Act respecting The Grand Trunk Pacific Railway Company.

Received and read first and second times

Wednesday, 14th February, 1912.

Honourable Mr. GIBSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL W.

An Act to ratify and confirm certain agreements between The Temiskaming and Northern Ontario Railway Commission and The Grand Trunk Railway Company of Canada.

Preamble.

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

Agreement of 1st May, 1911, ratified.

1. The agreement made between The Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Commission," and the Company, dated the first day of May, A.D. 1911, a copy of which forms schedule "A" to this Act, is hereby ratified and confirmed and declared to be legal, valid, and binding on the Company in all respects whatsoever, as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act; and the Company is hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement.

Power to carry out its provisions.

Agreement of 1st December 1911, ratified.

2. The agreement made between the Commission and the Company, dated the first day of December, A.D. 1911, a copy of which forms schedule "B" to this Act, is hereby ratified and confirmed and declared to be legal, valid, and binding on the Company in all respects whatsoever, as fully and completely as if the said agreement, and each and

every clause thereof were set out at length and enacted in this Act; and the Company is hereby authorized and empowered to make the said agreement for the term of twenty-five years certain, with the right to extend the period of the said agreement for a further term of twenty-five years upon exercise by the Company of the option in the said agreement contained, and also to do whatever may be necessary to give full effect to the provisions of the said agreement, for the full term thereby contemplated.

Powers as to its term.

Power to carry out its provisions.

SCHEDULE A.

This agreement made the first day of May, A.D. 1911, between the Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Lessor," and the Grand Trunk Railway Company of Canada, hereinafter called "the Lessee."

Recitals.

WHEREAS the parties hereto contemplate and now have under consideration the terms of an agreement, hereinafter referred to as the "Running Rights Agreement" under which the Lessor shall grant to the Lessee the right jointly and equally with the Lessor of using and enjoying the freight terminals of the Lessor at North Bay and the main line of the Lessor's railway from North Bay to Cochrane.

And whereas the Lessor is the owner of lands for a right of way from the south easterly limit of said joint terminals at North Bay to a point adjoining the right of way of the Canadian Pacific Railway Company at Nipissing Junction and approximately opposite the terminus at Nipissing Junction of the Lessee's line of railway.

And whereas the Lessee has requested the Lessor to build and construct a branch or extension of the Lessor's railway over said lands from the said south easterly limit of said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction and to lease same to the Lessee.

And whereas it is desirable and in the public interest that the said branch shall be constructed so as to form a direct connection between the lines of railway of the Lessor and Lessee.

Now these presents witness that the agreement between the parties in the premises is as follows:

Lessor to construct Branch.

1. The Lessor shall without undue delay proceed to lay out and construct according to the standard of construction of the Lessor's present line of railway, a branch or extension of the Lessor's said railway from the south easterly limit of the said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing

Junction aforesaid, for the purposes of which laying out and construction and every matter connected therewith the Lessor, its servants and agents, shall from time to time have access to and the right to possession of the said lands and every part thereof in the same manner as if this demise had not been made.

To lease same to G.T.R.

2. In consideration of the rents, covenants and agreements hereinafter contained the Lessor has demised and leased and by these presents doth demise and lease unto the Lessee, its successors and assigns, for the period and on the conditions hereinafter specified the said lands constituting the Lessor's right of way from the south easterly limit of said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction, together with the railway track and appurtenances herein referred to, to have and to hold the same and every part thereof unto and to the use of the Lessee, its successors and assigns, for the term of fifty years from the date on which the Lessee shall take possession of the premises subject to the right of either party to determine the said term at any time after the expiration of twenty years from the said date on not less than five years' written notice to the other party to that effect.

Habendum determinable after 20 years on 5 years' notice.

Rental 4½ p.c. of cost.

3. The rent payable by the Lessee to the Lessor hereunder shall be an annual sum equal to four and one-half per cent. of the cost of said right of way as herein agreed upon and of the laying out and construction of said branch of the Lessor's railway and of the cost of betterments, if any, made by the Lessor during the continuance of the said term, with the consent and approval of the Lessee, in accordance with the provisions hereinafter contained. The cost of said lands and of all surveys and other work done and performed thereon up to the first day of April, 1911, is hereby agreed as of the said first day of April, 1911, to be the sum of $6,968.33. Said rental shall include four and one-half per cent. of said sum reckoned from said first day of April, 1911, and four and one-half per cent. of each other item of expenditure by the Lessor in connection with the laying out and construction of said branch or in subsequent betterments as aforesaid made pursuant to the provisions hereof reckoned from the respective dates of payment thereof by the Lessor.

Betterments.

4. If at any time during the continuance of the said term the Lessor shall deem it necessary or expedient to make any expenditures upon capital account for the improvement of the said line of railway by way of replacement of structures by others more modern or for any other betterments, the Lessor may expend such sums and the amount thereof shall be added to the cost of the line and thereafter con-

sidered as part of the cost thereof upon which interest by way of rental at the rate aforesaid shall be paid by the Lessee; Provided that no such expenditure shall be entered upon or made without the consent and approval of the Lessee.

5. The Lessee shall pay before entering upon the use and occupation of the said line hereunder four and one half per cent. per annum of the said agreed cost of said lands from the said first day of April, 1911, to the date when the Lessee shall enter upon the occupation and use of said line hereunder and four and one-half per cent. of all expenditures by the Lessor in the laying out and construction of the said line from the respective dates of the payment of such expenditure as aforesaid to the date when the Lessee shall enter upon the occupation and use of said line hereunder, and the Lessee shall pay the rental as hereby fixed from and after the date of assuming the said occupation and use in equal monthly instalments, the first of such instalments to be made at the expiration of one month from the beginning of such use and occupation.

Time of Payment of rental.

Lessor's right to use or gran joint use to other Railways reserved.

6. Nothwithstanding anything contained in these presents the Lessor shall have the right at any time and from time to time during the continuance of the said term to use for its own purposes or to grant to any other railway company or companies the right to use the whole or any portion of the said line of railway jointly with the Lessee, provided that before exercising such right the Lessor shall give to the Lessee not less than sixty days' notice in writing of its desire so to do, specifying in such notice the portion of said line upon which said right is to be exercised; and in case the Lessor shall exercise such right it shall abate to the Lessee in respect of the portion of the line so used (a) such proportion of the maintenance and operating expenses thereof as the number of cars run over or upon any of such portion of said line of railway by the Lessor, or by any other such railway company or companies, or by both, as the case may be, shall bear to the whole number of cars run over or upon any of such portion of the said line of railway; (b) The proper aliquot portions, based upon the number of users of the said line or any part thereof pursuant to such notice, of that proportion of the rental payable by the Lessee hereunder which the number of miles of said line of railway specified in such notice shall bear to the total mileage of the said line.

New agreement for joint operation.

7. Should the Lessor give notice of its desire to use or to grant to any other Railway Company or Companies the right to use jointly with the Lessee the whole or any portion of the said line of railway as hereinbefore provided, the

parties hereto shall thereupon enter into an agreement containing all such provisions for the joint maintenance and operation thereof, not inconsistent with the provisions hereof, as may be reasonably required under the circumstances, it being understood that so far as they are applicable the provisions of the said running rights agreement shall be adopted as the basis of, and be incorporated in, any agreement hereinafter made in pursuance of this paragraph.

8. In case the Lessor shall not when said line is ready for use and occupation by the Lessee have paid all accounts in connection with such laying out and construction or shall not have delivered to the Lessee its accounts therefor or in case the Lessee shall not have had the opportunity to examine, audit and accept such accounts, the Lessee may pay, subject to adjustment, such amount as shall be demanded or required by the Lessor as rental up to the beginning of such use and occupation and the Lessor shall furnish to the Lessee a detailed statement showing all expenditure incurred by the Lessor in laying out and construction of said line, and will allow proper inspection by the Lessee or its servants or agents in that behalf of all pay-rolls, books, accounts and vouchers for the purpose of checking or verifying all such expenditure and shall afford proper facilities for such investigation, and upon the ascertainment by the parties of the true amount of such expenditure the accounts shall forthwith be adjusted accordingly, and in case the parties cannot agree as to the amount of such expenditure the same shall be determined under the provision for arbitration hereinafter contained.

Preliminary payment on statement subject to subsequent adjustment.

The Lessor will also from time to time furnish to the Lessee detailed statements shewing all expenditures incurred by the Lessor, with the consent and approval of the Lessee in betterments as aforesaid and will allow proper inspection by the Lessee, its servants or agents in that behalf of all pay-rolls, books, accounts and vouchers for the purpose of checking or verifying all such expenditure for such betterments, and shall from time to time afford proper facilities for such investigation and in case the parties cannot agree as to the amount of any such expenditure, the same shall be determined under the provisions for arbitration hereinafter contained.

Statements of Betterments.

Inspection of Pay Rolls, etc.

10. The Lessee shall be entitled to install home or distant signals or other apparatus pertaining to interlocking plants on the said demised premises and will be entitled at the expiration or other determination of the said term to remove same subject to restoring the said demised premises to the same plight and condition as before the erection of or installation thereon of any such signals or other apparatus.

Lessee's Signals.

Lessee's covenants.

11. The Lessee covenants with the Lessor as follows:

Will Pay Rent.

(*a*) That the Lessee will during the said term pay unto the said Lessor the rent hereby reserved in the manner hereinbefore mentioned without any deduction whatsoever.

And Taxes.

(*b*) That the Lessee will pay all taxes, rates, duties and assessments whatsoever, whether municipal, parliamentary or otherwise, hereafter charged upon the said demised premises or upon the said Lessor on account thereof.

Repair.

(*c*) That the Lessee will during the said term from time to time well and sufficiently repair, maintain and keep the said demised premises and all the Lessor's structures thereon, including all fences and other the appurtenances of the said line of railway, in as good a state of repair and condition as that portion of the Grand Trunk Railway System between Toronto and North Bay.

Comply with legal requirements.

(*d*) That the Lessee will from time to time and at all times during the continuation of the said term observe and perform all the requirements of the law from time to time applicable to the operation of the said line and will bear and pay all the expenses incurred in doing and performing all such acts, matters and things as may be necessary for the maintenance and operation of the said line of railway in conformity with the laws of the Dominion of Canada and the Province of Ontario, respectively applicable thereto, and will indemnify and save harmless the Lessor of and from all costs, charges and expenses in the premises. Provided however, that nothing herein contained shall be construed as imposing upon the Lessee any obligation to construct, or provide at its own expense any work or structure of a permanent character, or which can be regarded as a betterment, which is at any time during the said term directed or ordered by any board or authority duly constituted under the laws of the said Dominion or Province or is directed or ordered by any Act of the Parliament of Canada or of the Legislature of the Province of Ontario, it being the understanding and intention that all material required to be provided and work done in connection with any such work or structure, shall be provided and done by and at the cost of the Lessor, and that interest at the rate of four and a half (4½) per cent. shall be thereafter paid thereon by the Lessee as additional rental hereunder irrespective of whether the Lessee shall or shall not have consented to such expenditure.

(*e*) That the Lessee, its successors and assigns shall not nor will during the said term, assign, transfer or set over or otherwise by any act or deed permit the said premises or any of them to be assigned, transferred, set over or sublet unto any person or persons, company or companies whomsoever without the consent in writing of the Lessor, its successors and assigns, first had and obtained. Will not assign without consent.

(*f*) The Lessee at the expiration or other determination of the said term will yield up the said line of railway, structures and appurtenances to the Lessor in as good plight and condition in all respects as the same shall be in at the beginning of the use and occupation thereof by the Lessee hereunder and as to any structure or other matter or thing covered by the Lessor's betterments as aforesaid in as good plight and condition as the same were on the completion of such respective betterments; and in case the said railway, structures and appurtenances or any part thereof shall not at the expiration or other determination of the term hereby granted be so delivered up in as good plight and condition as at the beginning of such occupation or as to any such betterments in as good plight and condition as at the completion thereof respectively the Lessee will pay to the Lessor in cash such sum as shall be sufficient to cover the cost and all incidental expenses of bringing the said railway structures and all appurtenances or such of them as shall not be in such plight and condition as aforesaid in all respects up to such standard; and in case the parties cannot agree upon the amount payable hereunder the same shall be fixed by arbitration as hereinafter provided, it being expressly agreed that the Lessee shall not be entitled to any payment or allowance in respect of any betterments of any kind made or claimed to be made by the Lessee, the true intention and meaning of these presents being that any betterments made by the Lessee shall be deemed and understood to be made for the Lessee's own benefit during the said term. Delivery of possession.

12. Provided always and it is hereby expressly agreed that if and whenever the rent hereby reserved, or any part thereof, shall be unpaid for sixty days after any of the dates on which the same ought to have been paid, although no formal demand shall have been made therefor, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the Lessee, its successors or assigns, then and in either or any of such cases it shall be lawful for the Lessor at any time thereafter into and upon the said demised premises or any part thereof Right of re-entry on default.

in the name of the whole to re-enter and the same to have again, re-possess and enjoy as of its former estate therein, anything herein contained to the contrary notwithstanding.

Lessor covenants for quiet enjoyment.

13. The Lessor hereby covenants with the Lessee that the Lessee making the payments herein agreed to be made and performing, observing and fulfilling the covenants and the terms and conditions herein contained on the part of the Lessee to be observed, performed and fulfilled, shall from time to time and at all times hereafter during the said term have and enjoy the use and occupation of the said demised premises according to the terms and conditions herein contained without interruption or interference by the Lessor or any other party or parties whomsoever lawfully claiming under the Lessor.

Mode of giving notice.

14. In case of any notice to be given to or by the Lessor hereunder or in case of any demand to be made by or on behalf of or upon the Lessor hereunder the same, except where any other mode shall be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the Chairman or Secretary of the Lessor for the time being; and in case of any consent required to be given by the Lessor the same shall, unless otherwise required by the context, by given by the Chairman for the time being of the Lessor and shall for all purposes be binding upon the Lessor; and in case of any notice to be given to or by the Lessee hereunder or in case of any demand to be made by or on behalf of or upon the Lessee hereunder the same, except where any other mode shall be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the President or Senior Vice-President of the Lessee for the time being; and in case of any consent required to be given by the Lessee the same shall, unless where otherwise required by the context, be given by the President or Senior Vice-President for the time being of the Lessee, and shall for all purposes be binding upon the Lessee.

Differences to be arbitrated.

15. Any difference which may at any time arise between the parties hereto respecting or by reason of any of the provisions of this agreement, or as to the true intent and meaning thereof, or respecting anything to be performed, ascertained or determined for the purpose of fully carrying out the same, or of any agreement for the joint maintenance and operation thereof or of any portion thereof, as contemplated by Clause 7 hereof, shall if not amicably adjusted be from time to time, as the same arises, submitted to arbitrators appointed as follows: Each of the parties hereto shall appoint an arbitrator or referee, but should either party fail to appoint such arbitrator or referee within ten days

after the receipt of written notice of the appointment by the other of its arbitrator or referee, then the arbitrator or referee first appointed may select another arbitrator or referee. The two so appointed shall select a third arbitrator or referee and their award or the award of the majority of them made after due notice to both parties of the time and place of hearing the matter referred to and after affording full opportunity to the parties to be heard and to adduce evidence, shall be final and binding upon both parties and they expressly agree to abide thereby. In case the two arbitrators or referees first appointed shall fail to appoint a third arbitrator within ten days after the appointment of the one last appointed then a third arbitrator or referee may be appointed by a Judge of the High Court of Justice for Ontario on the application of either party after ten days' notice to the other. In case of the death or refusal to act of any arbitrator or referee, or if for any cause the office of any arbitrator or referee becomes vacant, his successor shall be appointed in the same manner as is provided for the appointment in the first instance unless the parties otherwise agree.

Pending the final disposition of the matter or matters submitted for arbitration each party shall continue to comply with and carry out the provisions of this agreement and the standing of either party towards the other shall be in no way affected by the matter in controversy.

16. These presents shall be binding upon and shall enure to the benefit of the successors and assigns of the parties respectively.

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

[*Seal*] TEMISKAMING AND NORTHERN ONTARIO RY. COM'N.

J. L. ENGLEHART, [*Seal*]
Chairman.

A. J. MCGEE,
Secy.-Treasurer.

THE GRAND TRUNK RAILWAY COMPANY. OF CANADA.

By CHAS. M. HAYES. [*Seal*]
President.

SCHEDULE B.

This agreement made the first day of December, A.D. 1911, between the Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Commission," and the Grand Trunk Railway Company of Canada, hereinafter called "the Grand Trunk."

Witnesseth that it is agreed between the said parties as follows:—

Description of joint section.

The expression "joint section" shall mean: (1) The terminal yards of the Commission at North Bay, and (2) That portion of the Railway of the Commission extending from such terminal yards to the crossing of the Railway of the Commission at or near Cochrane Station by the Eastern Division of the National Transcontinental Railway, which parcels (1) and (2) are shown in red on the plans marked respectively (A) and (B) attached to and forming part of this Agreement and identified by being signed by the Chief Engineer of the Commission and by the Chief Engineer of the Grand Trunk. The said expression "joint section" shall also be deemed to include all right of way, tracks, side tracks, bridges, stations, ticket offices, waiting rooms, dining rooms, freight sheds, warehouses, engine houses, car houses and sheds, weigh scales, turntables, water tanks, water plants, coal chutes, switches, stockyards, semaphores, signals and all other buildings and structures of any nature whatsoever erected or constructed upon the lands and premises comprised within either of said parcels (1) and (2) with all appurtenances, fixtures, plant, furniture, fittings, utensils and articles located upon or appertaining to or used in connection with the said lands and premises, and also such lands and premises and such buildings, improvements, facilities, additions and extensions as may in accordance with and pursuant to the provisions of this agreement be hereafter required, erected, provided or made for the purposes of the joint section and to enable the parties hereto to fully perform and carry on their business as herein contemplated. Provided however, that the said expression shall not include the repair shops and store buildings of the Commission at North Bay and Englehart.

In consideration of the compensation hereinafter mentioned and of the covenants and agreements hereinafter contained, the Commission has granted and by these presents doth grant unto the Grand Trunk, its successors and assigns, for the period and upon the conditions hereinafter specified the right jointly and equally with the Commission of using and enjoying the joint section with its

appurtenances, and of having the business and traffic of the Grand Trunk done in and about any and all of the stations and premises comprised within the joint section, together with a full and unrestricted and unencumbered use in common with the Commission of the joint section, including all tracks from time to time comprised within the joint section or used in connection therewith and the right to make all such track connections with the joint section as may be required for the purposes of this agreement. Grant of joint use.

To have and to hold the said rights and privileges unto the Grand Trunk, its successors and assigns, for the period of twenty-one years from the day on which the Grand Trunk begins to use the joint section, paying as compensation therefor to the Commission, its successors and assigns, the fixed yearly sum of three hundred thousand dollars, and from time to time further sums equal to four and one-half per cent. of one-half of all expenditures for betterment of the joint section which have since the first day of July, 1911, or which shall hereafter during the continuance of this agreement, be made by the Commission with the approval of the Grand Trunk as hereinafter provided, which compensation shall be payable in equal sums monthly on the twentieth day of every month in each year, or a proportionate sum for any fractional part of a month, the first payment to be made on the twentieth day of the month next following the month on which the Grand Trunk begins to run its trains over the same. Habendum 21 Years $300,000.00 and Interest on ½ cost of betterments.

These presents are made and entered into upon and subject to the provisions and conditions hereinafter expressed and contained, for the due performance and observance of all of which on the part of each of them to be done and performed the Commission and the Grand Trunk bind themselves and each of them respectively, their successors and assigns, that is to say:

1. The Grand Trunk shall during the continuance of this agreement pay to the Commission the said compensation in the manner and at the times hereinbefore mentioned without any deduction whatsoever save for the reasons and on account of the happening of any contingency hereinafter mentioned; all payments to be made to the Commission in gold of the present standard of value or its equivalent in Canadian currency, at the offices of the Commission in Toronto. Payment in Toronto.

2. The Commission shall at all times keep up and maintain in good repair and in a thorough efficient working condition the joint section and all appurtenances thereto or to be enjoyed in connection therewith, and shall also supply and properly equip and at all times keep equipped Covenant for maintenance.

all stations and other buildings, the right and privilege of using which is included in this grant with the requisite furniture, plant, tools and equipment. The joint section shall be kept and maintained at a standard equal to that portion of the Grand Trunk Railway between Nipissing Junction and Toronto.

Free and unlimited use of all facilities.

3. Subject to the terms and conditions of these presents the Grand Trunk shall for all purposes of its business and traffic have under the reasonable rules and regulations of the Commission free and unlimited access to and the free and unlimited use as the same are now or may at any time hereafter be had and enjoyed by the Commission of all stations, depots, freight and ticket offices, freight sheds, baggage rooms, dining rooms, warehouses, engine houses, car houses and sheds, fuel sheds, water tanks and other buildings and structures comprised within the joint section and all fixtures, plant, furniture and fittings appertaining thereto, as well as all weighing scales, baggage and freight trucks and other articles or utensils.

Destruction by Fire.

4. If any of the said buildings, accommodations or facilities or anything appertaining thereto be destroyed by fire or other casualty either in whole or in part the Grand Trunk shall have no claim against the Commission for damages on account of loss of accommodation but shall have, free of any charge other than the aforesaid compensation, a proportionate share of such accommodation as the Commission may be able to provide for the purpose of its business and traffic and of the new accommodation so soon as the same may be provided, and except as may from time to time be otherwise agreed upon between the parties the reconstruction of such buildings and the providing of accommodation in accordance with the former design and to the same extent as previously shall be proceeded with by the Commission at its own cost with all reasonable despatch. All buildings and erections and all furniture and equipment forming part of or comprised within the joint section shall be insured against loss or damage by fire so far as this can be done and the cost of so doing shall be part of the working expenses hereinafter referred to. Neither party shall be required or be liable to insure any property of the other party, nor save as aforesaid shall the working expenses include any outlay on account of insurance.

Parties to have equal rights.

5. Except where otherwise herein provided the parties hereto shall have and enjoy in all respects equal rights upon and to the use of the joint section and the trains of the Grand Trunk shall in every respect be treated by the officers, agents and employees in charge or control of, or engaged upon the joint section, as trains of a similar class of the Commission and shall equally have preference over

trains of an inferior class belonging to either of the parties, the superior class trains being in all cases given preference over trains of an inferior class. The Grand Trunk shall have a right to run over the joint section all classes of trains, passenger, mixed, freight and other trains. In case of doubt between the trains of the Commission and the trains of the Grand Trunk of the same class, the trains of the Commission shall under the established rules have the preference. The main tracks of the joint section shall as far as practicable be kept unobstructed for the use of the regular trains of both parties.

In Case of Doubt Trains of Commission to have preference.

6. The schedule for the arrival and departure of the trains of the parties hereto at and from North Bay and at and from the junction with the Eastern Division of the National Transcontinental Railway at or near Cochrane and at and from intermediate stations on the joint section shall be fixed from time to time by agreement between the proper officers of the parties hereto, having due regard to the necessity on the part of the Grand Trunk to make such through train schedules with the Grand Trunk Pacific Railway Company as will enable those Companies to meet competition. Reasonable notice of any desired change in such schedule shall be given by the proper official of the Grand Trunk to the proper officer of the Commission, who shall thereupon make and furnish so far as it is practicable a proper and satisfactory schedule or time card for the movement of all trains of both parties on the joint section. All schedules shall give equal rights to the trains of both parties of a similar class as provided by clauce 5 hereof. In preparing such schedules and fixing the speed of the trains of the Grand Trunk any reasonable request of the officials of the Grand Trunk made from time to time shall be given effect to. In the event of any dispute arising as to any schedule the matter in dispute shall if the parties fail to agree, be referred for determination to arbitrators appointed in the manner hereinafter provided. When the trains of the Grand Trunk are running behind time their movements shall be directed and controlled in the same manner as trains of a similar class of the Commission when out of schedule time.

Train Schedule.

7. The joint section, subject to the general control of the Commission, shall be in charge of the Superintendents of Traffic and of Maintenance appointed by the Commission and who shall be acceptable to and approved by the Grand Trunk and be subject to dismissal for good cause upon the written demand of the Grand Trunk. They shall have superintendence over the management and operation of the joint section and over all persons from time to time employed thereon or engaged in any service or duty con-

Superintendents of Commission to have charge of joint section.

nected therewith. The powers and duties of each such Superintendent shall be clearly defined by the Commission and shall be exercised and performed in a reasonable and just manner as between the parties and without discrimination or preference in favor of or against either. The Superintendents will comply with and carry out any instructions given by the proper officer of the Grand Trunk in regard to the movement of its trains, engines or cars, or the handling of its traffic, so far as it is practicable so to do, due regard being had to the rights of the Grand Trunk under this agreement. They shall within the scope of the defined powers conferred upon them respectively, have the control of all subordinate officers and employees engaged in or about the operation, maintenance, renewal and repair of the joint section and subject to the terms hereof, also have control of all enginemen, trainmen and other employees of either of the parties while engaged in the handling of trains, cars or engines upon the joint section. Any officer or employee from time to time employed in the operation, maintenance, repair or upkeep of the joint section shall, upon the written request of the Chief Executive officer of the Grand Trunk, be removed for cause.

Officers may be Removed for Cause.

G.T.R. Trains to be manned by G. T. R. Employees subject to Regulations of Commission.

8. Except as herein otherwise provided, the engines, cars and trains of the Grand Trunk shall be manned exclusively by employees of the Grand Trunk, who shall while upon the joint section be subject to the rules and regulations hereinafter provided for and be under the direction of the Superintendent of Traffic of the Commission so far only as the movements of the engines, cars and trains are concerned. The rules and regulations for the running and working of trains and for the guidance and conduct of all employees of either or both parties while running over or being upon the joint section and making use in common of the tracks ,buildings and appurtenances thereof, and so far as practicable all rules governing the use of the joint section and all police regulations generally shall be those prescribed by the Commission for the government of its own employees. Special rules applicable to the joint section and due to the requirements of this agreement may from time to time be agreed upon by the Executive Officers of both parties hereto and shall thereupon be enforced by the proper officers but no such rules shall interfere in any way with the full enjoyment of the rights of either of the parties hereunder.

Switch Connections.

9. The Commission shall construct the necessary switch connection or connections between the tracks of the Commission and those of the Eastern Division of the National Transcontinental Railway at the point as indicated on the plan attached hereto and the cost thereof and all expenses of

and incidental to the maintenance, operation, repair and renewal thereof shall be included in and form part of working expenses under this agreement.

10. The Superintendents of the Commission respectively having charge of the maintenance and operation of the joint section and all train despatchers, station agents, clerks, telegraph operators, station baggagemen, switchmen, signalmen, gatemen, flagmen, bridge-tenders, trackmen and all others employed upon or engaged in the maintenance, repair or renewal of the joint section or any part thereof or in controlling the movement of trains over the same (but not including enginemen or trainmen in the exclusive employ of one of the parties hereto) and generally all agents or employees whose salaries or wages in whole or in part are included in the working expense account hereinafter provided for shall, though paid by the Commission in the first place, be deemed to be joint agents or employees of both parties hereto and shall render equally to each party and with strict neutrality such service as they may be called upon to render or should render within the scope of their respective positions or employment and shall be subject to dismissal if they decline, neglect or refuse to render such assistance and service to the Grand Trunk as such employees are usually called upon to render, or be or become incapable to fully and satisfactorily perform their respective duties or for other good cause shown by the Grand Trunk to the Commission. Every request of the Grand Trunk under this clause shall be fully and justly dealt with by the Commission and any decision of the Commission in respect thereof shall be subject to appeal to arbitrators appointed as hereinafter provided.

Superintendents and Employees to render equal service to both Parties.

11. The expenses chargeable to the maintenance and repair of the joint section herein referred to as "working expenses" shall be payable by the Commission in the first instance and shall include:

Working Expenses.

(*a*) The cost of repairs and renewals of tracks and structures comprised within and forming part of the joint section and required for the proper maintenance thereof including in the cost transportation (not at tariff rates but at the rate of five mills per ton per mile) of all materials required thereof and the labor incidental thereto. Provided that the market value during the month in which the same are released of the rails, iron and other materials renewed or replaced shall be credited to working expenses. Provided further that any additional cost of rails due to an increase in the rolled weight of the new rails over that of the old shall be charged to capital account

Repairs.

Maintenance of Works for protection of public.

(*b*) The cost of maintenance of any works for the protection of the public and the trains and cars of the parties hereto respectively at highway or railway crossings on the joint section where protection may be required by law or where it may be deemed necessary by the parties hereto.

Maintenance and operation of Switches.

(*c*) The cost of maintenance and operation of the switches connecting the joint section tracks with those of the Eastern Division of the Transcontinental Railway at or near Cochrane and with the line of the Commission between North Bay and Nipissing Junction to be constructed under the terms of a certain other agreement between the parties hereto dated the first day of May, 1911, including the cost of the maintenance and operation of any interlocking plant or protective appliances, if any, in connection therewith payable by the Commission.

Maintenance Ordered work

(*d*) The cost of the maintenance of any works carried out in pursuance of the orders of any legally constituted authority affecting the joint section or any part thereof.

Insurance.

(*e*) Insurance premiums if any payable in respect of structures on the joint section.

Supplies, Salaries, Wages and Expense Accounts.

(*f*) The cost of fuel and supplies furnished for, and the proper wages of the crews engaged in, operating switching engines on Portion (1) of the joint section and at Englehart and in the making up of trains as provided in paragraph 34; the entire salaries, wages and expense accounts of all officers and employees engaged exclusively in the maintenance, repair and renewal of the joint section or in controlling the movements of engines and trains over the same (not however including enginemen and trainmen in the exclusive employ of either party); a fair proportion of the salaries and wages of all such employees as may be partially or occasionally engaged in such work and in respect of general supervision, a reasonable proportion of the salaries and expense accounts of the Commissioners and of the salaries, wages and expense accounts paid by the Commission to its Superintendents of Traffic and of Maintenance having charge of the joint section and to its Secretary and Auditor and to the staffs of such Superintendents, Secretaries and Auditor, which staffs shall include sorbordinate officers; such proportion to be from time to time adjusted between the parties as the conditions may warrant, or failing adjustment, to be deternimed by arbitrators appointed as hereinafter provided.

"Terminals Working Expense Account."

12. Accounts called "Terminals working expense account" and "Main track working expense account," shall be kept by the Commission and monthly statements rendered to the

Grand Trunk as early in each month as reasonably possible showing separately in such detail as is reasonable and proper the working expenses for the preceding month of portions (1) and (2) of the joint section. Provided however that the working expenses of Englehart yard shall be shown separately and be divided upon the same basis as the working expenses of portion (1). Such statements shall as to portion (1) of the joint section include, in addition to such other details as are reasonable and proper, particulars:— "Main Track Working Expense Account."

(*a*) Of every car which formed part of any train and of the locomotive hauling such train which arrived at and of every car which formed part of any train and of the locomotive hauling such train which departed from portion (1) of the joint section or from Englehart yard during the preceding month each car and each locomotive being counted once on arriving at and once on leaving North Bay or Englehart yard as the case may be, Provided however that any empty car entering portion (1) of the joint section or Englehart yard for the purpose of taking up passengers or leaving the same after discharging passengers or the engine or engines moving the same shall not be counted, and Provided also that cars forming part of through trains and not set out at portion (1) of the joint section or at Englehart yard shall be counted but once; every revenue switch movment to be counted as one car. Cars using Terminals.

(*b*) Of the total number of tons of freight handled in and out of the freight house or freight shed (including transfer platform) at North Bay during the preceding month, showing separately the number of tons so handled for each of the parties hereto. North Bay Tonnage.

(*c*) Of the total number of engines despatched from the engine houses at North Bay and Englehart respectively during the preceding month, showing separately the number of engines so despatched for each of the parties hereto. Engines Despatched.

13. The Grand Trunk shall within sixty days of the receipt of such statements respectively pay to the Commission as its proportion of the working expenses of portion (1) (including Englehart yard) of the joint section during the preceding month as follows: Payment within 60 Days.

(*a*) Such proportion of the cost of maintaining and operating the said engine houses at North Bay and Englehart respectively, during the preceding month, as the number of engines despatched for the Grand Trunk from such engine house during such month bears to the total number of engines despatched therefrom, during such month. Engine Houses at Terminals.

North Bay Freight Shed.

(*b*) Such proportion of the cost of maintaining and operating the freight shed at North Bay during the preceding month as the number of tons of freight handled in and out of the freight shed (including transfer platform) for the Grand Trunk during such month bears to the total number of tons of freight handled in and out of said freight shed (including transfer platform) during such month.

Yard Expenses.

(*c*) Such proportion of the working expenses (as herein, before defined) incurred in connection with the station yard and tracks included in portion (1) of the joint section and Englehart yard respectively, during the preceding month as the number of cars arriving at and of cars departing from North Bay and Englehart yard respectively in the trains of the Grand Trunk during such month and using the said yards and counted in accordance with the provisions of the preceding clause shall bear to the total number of cars so counted arriving at and of cars departing from North Bay and Englehart yard respectively during such month and using the joint yards.

Expenses portion 2 divisible on car mileage basis.

14. The Grand Trunk shall within sixty days of the receipt of such statements respectively pay to the Commission in respect of portion (2) of the joint section such proportion of the working expenses shown as having been expended in respect of portion (2) of the joint section during the preceding month as the total engine and car miles made upon said portion (2) of the joint section during the month covered by such statement by the engines and cars of all classes, both loaded and empty, comprised in the trains of the Grand Trunk, shall bear to the total engine and car miles made upon said portion (2) of the joint section during the preceding month by all engines and cars of all classes both loaded and empty.

Rendering Accounts.

15. The accounts referred to in the preceding paragraph may be rendered by delivering the same to the General Auditor of the Grand Trunk at Montreal or to such other officer as may be designated to the Commission by the Grand Trunk from time to time or by sending the same through the Post Office, postage prepaid, addressed accordingly.

Inspection of Books.

16. From time to time amd at all times during the continuance of this agreement the Commission will allow proper inspection by the officers and agents of the Grand Trunk of all pay-rolls, books, accounts, returns and vouchers for the purpose of checking or verifying accounts rendered by the Commission to the Grand Trunk in pursuance of this agreement. The Grand Trunk shall have the right from time to time to employ an Auditor to investigate the accuracy

of any such account or accounts and the Commission shall at all times afford proper facilities for such investigation. Neither the acceptance of any such account or accounts nor the payment thereof by the Grand Trunk shall prejudice its right to an audit or verification, and if upon such audit or verification or at any time it shall be found that the Grand Trunk has paid or allowed the Commission any sum or sums of money which under the provisions of this agreement it is not liable to pay or which should not have been allowed the Grand Trunk shall be entitled to demand and collect such sums. Audit.

Provided however that the Commission shall not be bound to accept the rulings of any such Auditor employed by tthe Grand Trunk and that in case the parties cannot agree as to any such questions of account the same shall be determined under the provisions for arbitration hereinafter contained.

17. Each party will allow the other proper inspection by its agents of all books, accounts, returns, vouchers and reports relating thereto for the purpose of checking and verifying any and all accounts which shall be rendered by the party against whom inspection is sought in respecting any loss, injury or damage which the last named party may suffer or sustain and which under the terms hereof is to be assumed or borne in whole or in part by the party seeking inspection and also for the purpose of checking and verifying all statements and returns of the number of engines and cars of either of the parties transported on or over the joint section or any part thereof and the tonnage handled in the terminal yard or the engines using the engine houses or of ascertaining any information or particulars to which the other party shall be entitled hereunder. Mutual Rights of Inspection.

18. The Grand Trunk shall be entitled to carry on through and interchanged express business on the joint section upon the terms of such agreement in respect thereto as shall be entered into between the Commission and the Canadian Express Company and shall be entitled to do freight, passenger and mail business over the joint section as follows: Business which Grand Trunk may do on joint section.

(*a*) All passenger and mail business and all freight business originating on the Grand Trunk or Grand Trunk Pacific Railway or their respective connections and carried over the joint section on the trains of the Grand Trunk for furtherance over the lines of the Grand Trunk or Grand Trunk Pacific or their respective connections, shall be Grand Trunk business and shall be carried at rates lawfully fixed by the Grand Trunk irrespective of the Commission and all revenue therefrom shall belong to the Grand Trunk. Through G.T.R. Business.

Local Business at commission rates.

(*b*) All other business which under the terms of this agreement the Grand Trunk is authorized to carry on on the joint section is agreed and declared to be local business of the Commission and the right of the Grand Trunk to carry on the same is subject to its being carried on so far as the joint section is concerned at the rates lawfully fixed by the Commission irrespective of the Grand Trunk.

Interchanged Freight.

(*c*) Subject as aforesaid the Grand Trunk shall be entitled to transport in its trains over the joint section and to deliver at North Bay, Cochrane or any intermediate point on the joint section all cars containing freight originating on the Grand Trunk or Grand Trunk Pacific Railway or their respective connections consigned to North Bay, Cochrane or to any one intermediate point on the joint section or to any point or points on branch lines connecting with the joint section; and to receive at North Bay, Cochrane and intermediate points and to transport in its trains over the joint section or any part thereof cars containing freight consigned to points on the lines of the Grand Trunk or Grand Trunk Pacific Railway or their respective connections. Provided that such freight shall be carried subject to the payment by the Grand Trunk to the Commission in respect thereof of twenty-five per cent. of the rates from time to time lawfully fixed by the Commission as aforesaid as payable for the carriage of such freight over the joint section or the portion thereof over which such freight shall be so carried by the Grand Trunk in its trains. Provided further that this shall not be construed as entitling the Grand Trunk to do what is commonly known as local way freight business, and Provided further that on portion (2) of the joint section the Grand Trunk shall not be required to place cars at freight houses or on private sidings or on public team tracks when in their judgment such work would cause objectionable delay to Grand Trunk trains but this work shall in such event be done by the engines and cars of the Commission.

Interchanged Passenger and Mail business.

(*d*) Subject as aforesaid the Grand Trunk shall be entitled to carry on its passenger trains passenger traffic and mails reaching North Bay via Grand Trunk Railway or Cochrane via Grand Trunk Pacific Railway for carriage to local points on the joint section or *vice versa* and passenger traffic and mails originating at Cochrane for carriage to North Bay without stop over or *vice versa* subject to the payment by the Grand Trunk to the Commission in respect thereof of twenty-five per cent. of the revenue received by the Grand Trunk for

such mail service and twenty-five per cent. of the rates from time to time lawfully fixed by the Commission as payable for the carriage of such passenger traffic over the joint section or the portion thereof over which such passenger traffic shall be so carried by the Grand Trunk upon its trains.

Local Passenger and Mail traffic.

(*e*) Subject as aforesaid the Grand Trunk shall further whenever it shall be impracticable to prevent the carriage of such traffic on its trains be entitled to carry on its passenger trains:—

(1) Passenger traffic and mails reaching joint section by the Canadian Pacific Railway Company or by any carrier other than the Grand Trunk or the Grand Trunk Pacific Railway Company for carriage to any point on the joint section, including Cochrane and North Bay.

(2) Passenger traffic and mails originating at North Bay or at Cochrane destined to any point on the joint section and *vice versa*.

(3) Local passenger traffic and mails between points on the joint section.

75% to Commission 25% to G.T.R.

Subject to the payment by the Grand Trunk to the commission of seventy-five per cent. of the revenue received by the Grand Trunk for such mail service and seventy-five per cent. of the rates from time to time lawfully fixed by the Commission as payable for the carriage of such traffic over the joint section or the portion thereof over which such passenger traffic shall be so carried by the Grand Trunk upon its trains. Provided however that if the Commission shall at any time by written notice request the Grand Trunk to carry any such passsenger traffic or mails upon any specified passenger train or trains of the Grand Trunk, the revenue received by the Grand Trunk for such passenger and mail service so carried on such specified train or trains shall, until the withdrawal in writing of such request be divided as follows: twenty-five per cent. thereof to the Commission and seventy-five per cent. thereof to the Grand Trunk.

Proviso 25% Commission 75% G.T.R.

Tickets for G.T.R. Points.

19. The Commission shall at all times keep on sale at all stations on the joint section or other agencies for the sale of tickets an adequate supply of tickets of the issue of the Commission for all points on the Grand Trunk, its allied lines and connections, and the baggage of passengers using any such tickets from a point on the joint section shall be checked through to destination.

Each Party responsible for accidents on its own trains.

20. Each of the parties hereto assumes all responsibility for accidents or casualties upon or to its own trains and to its passengers, freight and employees, by reason of any

imperfection of the track or misplacement of switches by its own or a joint employee or by strangers and for damages for live stock killed or injured or by reason of injuries that may occur to persons walking upon the track or at highway crossings (if any liability therefor) or from any other cause (aside from or except collision between the trains of the parties hereto or the negligence of an exclusive employee of the other party) and no such accident or casualty shall give either party a right of action or claim against the other, it being the intention and design that each party shall be responsible for its own trains, passengers, freight and employees for the conduct of its own and joint employees as regards such trains, passengers, freight and employees, and generally, except when the other party or its exclusive employees are at fault.

Party at fault to pay.

21. In case of injury to persons or property not in transit upon the trains of either party or of any damage by fire to the joint section or lands adjoining the same caused by or resulting from the operation of the trains of such party upon the joint section the party at fault shall without regard to the physical condition of the joint section or its appurtenances pay the full amount of the liability. Provided that in the event of its being impossible from want of evidence or otherwise to fix the liability in any such case upon one of the parties hereto the amount of such liability, including all costs, shall be apportioned between and be assumed and borne by the parties in the proportion for each that the number of its cars passing over the joint section at the point where the damage or injury occurred during the current month in which such damage or injury happened bears to the whole number of cars of both parties passing over such point during such current month. Provided further however that the Commission shall not be bound to contribute toward any loss or damage or costs which the Grand Trunk shall sustain or be put to by reason only of any statutory liability irrespective of negligence at any time lawfully imposed upon the Grand Trunk but not so imposed upon the Commission. In the event of loss, damage or injury occurring or being caused to persons or property upon or by the trains of either party the proper officer of the party upon or by whose trains such loss, damage or injury occurred or was caused shall settle the same and in all such cases of settlement any release executed shall be so made as to include and free and discharge both of the parties hereto from all further liability to the claimant.

Apportionment when fault unascertainable.

Except statutory liability of G.T.R.

Release to discharge both Parties.

Collision.

22. In all cases of collision between the trains of the parties hereto the party whose employees or trains are at fault and were or shall be found to have been the occasion of the collision shall be responsible to the other party for

all damages caused by or resulting from such collision, but in case the proper officers of the parties hereto are unable to agree as to which was at fault or as to the cause of the collision, or as to the amount of the damage done, the questions arising in respect thereto shall be referred to arbitration in the manner hereinafter provided for the settlement of differences and disputes and the party hereto which shall be found responsible shall indemnify, save harmless and defend the other from and against all claims, costs and proceedings resulting from or growing out of such fault, and the party so adjudged liable to pay the other any damages in respect thereof shall abide by and forthwith perform and comply with the award of the arbitrators which shall in all cases be final and shall terminate the controversy between the parties.

Damage through fault of Joint Agent.

23. All loss or damage to person or property upon the trains of either of the parties hereto caused by the negligence or fault of any joint agent or employee of the parties hereto in the course of his employment shall be borne and paid by the party upon whose train such loss or damage occurs, but this clause shall not give to any third party any claim or cause of action.

Mutual Indemnity.

24. The parties hereto respectively shall indemnify, save harmless and defend each other from all loss, damage or injury which either party agrees hereunder to assume, and from all claims, costs and proceedings resulting from and arising out of or payable by reason of any such loss, damage or injury and in case proceedings be commenced against either party hereto for any loss, damage or injury which the other agrees hereunder to assume or bear, the party proceeded against may give notice thereof to the other and thereupon such other party shall at once assume the defence of such proceedings and save the party proceeded against harmless from all loss and costs. In case proceedings are commenced against both parties for loss, damage or injury which is to be assumed or borne by one of them, such one shall assume the defence of such proceedings and save the other party hereto harmless from all loss and costs. In case proceedings are commenced against one party hereto for loss, injury or damage, for which both parties are liable to contribute hereunder, the other party shall join or assist in defending and any costs and damages awarded shall be borne in the proper proportion provided for hereunder according to the circumstances.

Damages through Negligence to be made good by party in fault.

25. In the event of the destruction of or damage to any of the tracks, depots, bridges, culverts or other structures on the joint section as a result of the carelessness or by reason of the negligence of one of the parties hereto, the expense (in excess of the amount of insurance received) of

replacing or renewing the property of the same general character as that destroyed shall be entirely paid by the party at fault. Provided that in case by consent of both parties any new work substituted for that damaged or destroyed shall be of a better character than the old and can be considered as a betterment, so much of the cost as would restore the property to its former condition shall be paid by the party at fault as above provided and the balance of the cost shall be added to capital account subject to the payment by the Grand Trunk of a sume equal to interest at the rate of four and one-half per cent. per annum upon one half thereof during the continuance of this agreement as hereinbefore provided. The cost of all betterments exceeding the sum of two hundred dollars, or of additional works such as second main track, side tracks, etc., on the joint section made by the Commission because of increased traffic for the more economical operation of trains, or under the provisions of any statute, order or by-law binding upon the Commission, shall be added to and included in the capital account upon one-half of which the Grand Trunk shall pay a sum equal to four and one-half per cent. per annum as aforesaid. All individual betterments costing two hundred dollars or less shall be charged as part of working expenses. For the purpose of this clause any work or structure of a permanent character which at any time during the continuance of this agreement is constructed pursuant to the direction or order of any Board or authority duly constituted under the laws of the Dominion of Canada or of the Province of Ontario or pursuant to the provisions of any Act of the Parliament of Canada or of the Legislature of the Province of Ontario shall be regarded as a betterment and the cost thereof be added to and included in the capital account.

Betterments exceeding $200 to be charged to Capital Account.

26. Neither of the parties hereto shall have any claim or right of action against the other by reason of any interruption or delay to traffic on the joint section by the destruction of or damage to any of the tracks, structures or facilities covered by this agreement howsoever same may be caused.

No Claim for interruption or delay.

27. If any additional buildings, tracks or facilities or any betterments or improvements on the joint section or any part thereof or any additional lands therefor be in the opinion of either of the parties required for the reasonable purposes of the business of both or either of them, the parties shall consult together with a view to agreeing with reference thereto and in case the parties agree to any such additional buildings, facilities, betterments, or improvements or additional lands, the cost thereof less the then value of all iron and other materials replaced, shall be charged to capital account, and a sum equal to interest at the rate of four and one-half per cent. per annum on one half of such cost shall be payable by

Additional facilities where one party objects to same as betterments on Joint Account.

the Grand Trunk during the continuance of this agreement as additional compensation for the rights granted hereunder. In case either party shall desire to extend the joint section or to secure additional lands and construct thereon buildings or other facilities and the other party shall decline to have such extension made on joint account, or in case either party shall desire additional buildings or facilities or to make further betterments on the joint section and the other party shall decline to have same constructed, provided or made on joint account, then such extensions may be made or such facilities provided or such construction proceeded with by the party desiring the same, and such extension, facilities or constructions shall not be deemed part of the joint section but shall belong to, and shall be maintained and operated by, and at the exclusive expense of the party making same. The Grand Trunk shall have the right to connect any track or tracks laid upon any such additional lands required by that company with the tracks included within the joint section. Provided however that if the party who shall have so declined to have said extensions, construction, facilities or betterments constructed, provided or made on joint account shall afterwards at any time during the continuance of this agreement desire to have the joint use of such extensions, constructions, facilities and betterments or any part thereof, such party shall have the right thereafter to the joint use of the same accordingly upon such terms, if the parties cannot agree, as shall be fixed by arbitration as hereinafter provided; whereupon such extensions, constructions, facilities and betterments shall be covered by such agreement between the parties or by arbitration as aforesaid and become part of the joint section and be governed in all respects by the terms of these presents so far as the same shall be applicable thereto. Provided that nothing in this paragraph contained shall entitle the Grand Trunk to construct any buildings or other structures, or to make, provide or furnish any additional facilities or betterments upon the joint section without the consent of the Commission. Provided further, however, that should the Grand Trunk at any time request the Commission to extend any passing track already constructed, or to have additional passing tracks constructed on the lands of the Commission, which the Commission shall not be willing to make or construct on joint account, the Grand Trunk shall be entitled to have such question determined by arbitrators appointed as hereinafter provided, and in case the arbitrators shall determine that any such extension or additional passing track is required the same shall be made or constructed by the Commission and the cost thereof shall be charged to

Right of G.T.R. to connect tracks.

Subsequent Inclusion in Joint Account

G.T.R. no right to build on Commission's land.

Passing Tracks.

capital account or otherwise and the cost of maintenance and operation be borne in such manner as shall be proper under the provisions hereof, due regard being had to the decision of said arbitrators.

Car Mileage and Per Diem Charges.

28. The Grand Trunk shall pay all mileage allowances or charges at the usual and customary rates for all cars owned by the Commission hauled by the Grand Trunk in its trains over portion (2) of the joint section and shall also be liable for and pay directly to the parties or Companies (other than the Commission) entitled thereto all per diem or mileage allowances or other compensation at the usual and customary rates for the services or detention of all cars of such other parties or Companies hauled by the Grand Trunk in its trains on the joint section. Cars will be considered as delivered by the Grand Trunk to the Commission on portion (2) of the joint section when set out of trains for unloading ,and shall be considered as returned to the Grand Trunk when reported to the proper officer in charge of car movement on the joint section as ready for movement by the Grand Trunk at the same point . The Commission shall nor pay or be liable for any mileage per diem charge or other compensation for the services or detention on portion (1) of the joint section of any engines or cars arriving at or leaving said portion (1) of the joint section in the trains of the Grand Trunk and not intended for delivery to the Commission but the Grand Trunk shall pay and be liable for and hereby covenants to indemnify the Commission against any claim or claims for any mileage per diem charge or other compensation for the services or detention of such engines or cars . Provided however that in the case of cars to be delivered by the Grand Trunk to the Commission, the Commission shall assume such mileage per diem charge or other compensation from the time that the same are delivered on portion (1) of the joint section, and in the case of cars to be delivered by the Commission to the Grand Trunk, the Grand Trunk shall assume such mileage per diem charge or other compensation from the time same are delivered on portion(1) of the joint section.

What constitutes Delivery of Cars.

American Railway Association Code of Car Service Rules shall govern as to what constitutes delivery of a car.

Revenue switching.

The Commission shall assume all per diem or mileage charges or other compensation payable upon cars engaged in revenue switching movements.

Commission to do repairs. for G.T.R.

29. The Commission shall upon the request of the Grand Trunk do with all reasonable despatch all ordinary running repairs required upon the engines and rolling stock of the Grand Trunk used upon the joint section, charging therefor actual cost of materials used and labor performed in making such repairs plus ten per cent of the cost of such material

and labor. Provided that the Grand Trunk may supply its own material if it so desires.

Coal and water for G.T.R. engines.

30. If so requested by the Grand Trunk the Commission shall, subject to the limitations of its facilities, furnish daily to the engines of the Grand Trunk such amount of coal as may be necessary for such engines and the Commission shall charge and the Grand Trunk shall pay for such coal so supplied the cost price thereof to the Commission at the point of delivery to the Grand Trunk plus ten cents per ton additional. The Commission shall further furnish daily to the engines of the Grand Trunk such water as may be necessary for such engines, the expense of the supply of water to both parties to be reckoned as part of the working expenses and to be charged and payable accordingly.

Statement of supplies.

31. The Commission shall keep or have kept a statement of all supplies, coal, sand, oil, waste, tallow, etc., furnished to the Grand Trunk for its engines and cars and the Grand Trunk shall be charged the actual cost of all supplies, etc., so furnished. The term "Cost" used in this paragraph shall mean the current market price in Canada for the month in which they are furnished as shown by the invoice of such supplies plus ten per cent. to cover handling, supervision, inspection, accounting, freight charges and other incidental expenses. Provided that should the Grand Trunk desire to provide or furnish its own coal, supplies, sand, oil, waste, tallow, etc., it may do so, in which event it will be charged only the cost of handling the same. For the purpose of accounting between the Commission and the Grand Trunk the cost of transportation over the joint section by either party of fuel and supplies of all kinds for the use of the other shall, until otherwise agreed, be settled on the basis of five mills per ton per mile.

Use of Engine Stalls.

32. The Grand Trunk shall at all times have the right to the use for its locomotives of such stalls in the engine houses of the Commission as the number of engines actually engaged in the service of the Grand Trunk on the joint section may entitle that Company to use with the like accommodation and facilities in all respects as may be provided by the Commission for its own engines, the understanding being that the stalls in the engine houses of the Commission shall be allotted and be available for the use of each party in proportion to the number of engines actually engaged in the service of each party upon the joint section. It is also understood that the engines of the Grand Trunk shall while in the engine house be turned, cleaned and fitted for the road and that engine despatch shall include so far as required cleaning below running board, turning and housing and labour of coaling and watering, but that cleaning of engines above running board, supplies required for cleaning engines,

repairs and all supplies required for repairs and all stores, small or large, that may be required, shall be paid for at cost, which shall include cost of handling.

Car Cleaning.

33. The Commission shall, if requested so to do by the Grand Trunk, clean the passenger cars used in the business and traffic of the Grand Trunk upon the joint section and heat and supply them with water, ice, fuel, oil, waste and small stores, and the Company shall pay to the Commission the cost to the Commission of the material, labour and stores so furnished. The term "Cost" used in this paragraph shall mean the current market price in Canada for the month in which they are furnished as shown by the invoice of such supplies and stores, plus ten per cent. to cover handling, supervision, inspection, accounting, freight charges and other incidental expenses. The charge for labour shall be that actually paid by the Commission. Provided that the Grand Trunk may at any point or points on the joint section, or at any time or times, perform the whole or any part of the above service, with its own employees, without being liable to any charge therefor by the Commission.

Switch Engine Crews

34. The Commission shall provide the switch engines and crews required to perform switching service in the North Bay and Englehart yards and for making up all trains and shall be entitled to charge to working expenses a reasonable sum per month for the use of such switch engine which sum shall be exclusive of fuel and supplies required for such engine and of the proper wages of the crew, which shall be included in the working expenses of portion (1) of the joint section as provided in paragraph 11 (f). It is understood and agreed that the Grand Trunk may at its option and upon the same terms from time to time provide such engines and crews to an extent sufficient to equalize the service furnished by the Commission. Such reasonable sum shall be fixed from time to time by the parties or in case of failure to agree shall be determined by arbitration as hereinafter provided.

Commission to have the right to give running rights to other Railways.

35. Notwithstanding anything contained in these presents the Commission shall have the right at any time and from time to time during the continuance of this agreement, to grant to any other Railway Company or Companies any right of use or otherwise with respect to the joint section or any part or parts thereof. Provided always that the same shall not impair the facilities hereby agreed to be furnished to the Grand Trunk or prevent the Grand Trunk from enjoying the use of the joint section or from operating trains over the same and every part thereof as herein contemplated. And provided further that no such right shall be granted to any other Company on more favourable terms than those hereby secured to the Grand Trunk. And it is agreed

that in case the Commission shall grant any such right to any other Railway Company or Companies the Grand Trunk shall be entitled to the benefit of and credit for one-half of all rentals or other consideration in the nature of rentals received from any such other Railway Company or Companies for such rights and the proportion of working expenses payable by the Grand Trunk under paragraphs 12, 13 and 14 hereof, shall thereupon be reduced proportionately.

Revenue from other Railways to be apportioned.

36. All receipts and revenues for facilities afforded or for services rendered to any party other then the parties hereto or to any other Railway Company or Companies as in the preceding paragraph provided upon or in connection with the joint section shall enure to the benefit of the parties hereto in equal shares. The statements to be rendered monthly by the Commission to the Grand Trunk under paragraph 12 hereof shall show in detail such receipts and revenue nues and also any rentals or other consideration in the nature of rentals received from any other Railway Company.

Advertising.

37. Equal facilities shall be afforded upon the joint section to each of the parties for advertising their respective business and that of their connections.

Telegraph business.

38. The Commission having heretofore entered into an agreement with the Canadian Pacific Telegraph Company in respect of commercial business, which agreement expires 1st August, 1915, it is agreed that in the meantime the Grand Trunk shall have the right to use the poles and cross arms of the Commission for stringing telegraph wires, not exceeding six in number, subject to the payment to the Commission therefor of a sum to be agreed upon by the parties hereto or in the event of their failure to agree to be determined by arbitration as hereinafter provided. Provided that such wires shall be used exclusively for the railroad business of the Grand Trunk and Grand Trunk Pacific and shall not be used directly or indirectly for commercial business. It is declared to be the intention of the parties to enter into a new contract with reference to telegraph service after the expiry of the present agreement of the Commission with the Canadian Pacific Telegraph Company, but failimg the making of such new agreement it is declared that the right hereby reserved to the Grand Trunk to string its wires on the poles and cross arms of the Commission shall continue during the continuance of this agreement or until another agreement in the premises is entered into between the parties.

Wrecks.

39. In case of any wrecks of Grand Trunk trains, engines or cars on the joint section during the continuance of this agreement the necessary clearing of the track shall be done by the Commission through its wrecking crew and appliances, and save where under the terms of these presents the

Commission shall be bound to clear the loss incident to any such wreck, the actual cost thereof shall be payable by the Grand Trunk to the Commission.

Payment to be made on statement as rendered subject to subsequent adjustment.

40. All moneys other than the compensation aforesaid, payable by the Grand Trunk to the Commission hereunder, including proportion of freight and passenger earnings for local traffic of the Commission as hereinbefore described, the proportion of all working expenses payable by the Grand Trunk as aforesaid, the cost of all services and supplies as aforesaid for the use of telegraph poles and cross arms as aforesaid and the cost of clearing wrecks as aforesaid shall be payable by the Grand Trunk to the Commission at the office of the Commission in Toronto in gold or its equivalent as aforesaid monthly within sixty days after the delivery of statements thereof as aforesaid. The amount shown as payable by the statement so rendered shall be so paid leaving all mistakes, errors and omissions for subsequent adjustment. In reference to all payments to be made by the Grand Trunk to the Commission hereunder for compensation or otherwise time is declared to be of the essence of this agreement; and in case the Grand Trunk shall fail to make any payment or payments herein stipulated to be made when and where same shall become due and payable within sixty days after demand in writing requiring payment of the same shall have been made by the Commission to the Grand Trunk, then and in that case this agreement shall at the option of the Commission cease and be null and void, and the Commission may at once and without notice exclude and remove the trains, engines and other property of the Grand Trunk from the joint section and from every part thereof. Provided however that this clause shall not be construed as preventing either party from recovering from the other party any moneys payable by the one to the other under the terms hereof.

Legislation to extend time to 25 years.

41. It is agreed that subject to the Grand Trunk procuring within three years from the date hereof the necessary legislation authorizing the same (to which legislation the Commission hereby assents) the grant of rights and privileges hereby made shall be for the term of twenty-five years (instead of twenty-one years) from the day on which the Grand Trunk begins to use the joint section, with the option to the Grand Trunk on its giving to the Commission not less than one year's notice in writing of its desire to secure the same, of the renewal of such rights and privileges for a further period of twenty-five years on the terms and conditions set out in these presents; Provided that the compensation in respect of such additional term of twenty-five years shall be such compensation as shall be agreed upon between the parties, or in case of their failure to agree,

Option to Renewal for 25 years more.

as shall be fixed by arbitration as hereinafter provided. And it is expressly agreed that such arbitration may take place at any time after the expiration of the first twenty-four years of the original term. In case such legislation shall be procured by the Grand Trunk within said period of three years from the date hereof this agreement shall thereupon be read and construed as if the said grant and privilege had been made for said period of twenty-five years instead of for the twenty-one years with the option for renewal for another period of twenty-five years as aforesaid.

Commission covenants for quiet enjoyment.

42. The Commission hereby covenants with the Grand Trunk that the Grand Trunk making the payments herein agreed to be made and performing, observing and fulfilling the covenants and the terms and conditions herein contained and on the part of the Grand Trunk to be performed, observed and fulfilled, shall from time to time and at all times hereafter during the term of this agreement have and enjoy the joint use equally with the Commission of the joint section and of all the other rights and privileges therein and with respect thereto granted and provided for by this agreement according to the terms and conditions herein contained without interruption or interference by the Commission or any other party or parties whomsoever lawfully claiming under the Commission.

Mode of giving notices.

43. In case of any notice to be given to or bythe Commission hereunder or in case of any demand to be made by or on behalf or upon the Commission hereunder the same except where any other mode shall be indicated by the context shall be deemed to have been duly given or received when given or received in writing by either the Chairman or Secretary of the Commission for the time being, and in case of any consent required to be given by the Commission the same shall unless otherwise required by the context be given by the Chairman for the time being of the Commission and shall for all purposes be binding upon the Commission; and in case of any notice to be given to or by the Grand Trunk hereunder or in case of any demand to be made by or on behalf of or upon the Grand Trunk hereunder, the same, except where any other mode may be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the President or Senior Vice-President of the Grand Trunk for the time being, and in the case of any consent required to be given by the Grand Trunk the same shall, unless where otherwise required by the context, be given by the President or Senior Vice-President for the time being of the Grand Trunk and shall for all purposes be binding upon the Grand Trunk.

Matters not provided for.

44. Should it be found in practice that cases and events which may arise or happen have not been provided for in this agreement or that any right or interest of either party has not been fully protected thereby in accordance with its object and intent, it is agreed that in any such case or event the parties will consult together with a view to negotiating with fairness and candor new or other clauses to meet the same and to do justice and equity between the parties in respect thereof.

Differences to be referred to Arbitration.

45. Any difference that may at any time arise under this agreement or respecting the carrying out of the same according to its true intent and meaning shall if it cannot be amicably adjusted by the parties from time to time as the same may arise be by either parties submitted to arbitration in the following manner: each of the parties hereto shall appoint as an arbitrator or referee a disinterested person skilled in railway matters, but should either party fail to appoint such arbitrator or referee within ten days after the receipt of written notice of the appointment by the other of its arbitrator or referee, then the arbitrator or referee first appointed may select another arbitrator or referee. The two so appointed shall select a third arbitrator or referee and their award or the award of the majority of them made after due notice to both parties of the time and place of hearing the matter referred and after affording full opportunity to the parties to be heard and to adduce evidence, shall be final and binding on both parties and they expressly agree to abide thereby. And it is further agreed that in case the two arbitrators or referees first appointed shall fail to appoint a third within ten days after the appointment of the one last appointed, then a third arbitrator or referee may be appointed by a Judge of the High Court of Justice for Ontario on the application of either party aften ten days' notice to the other party. In case of the death or refusal to act of any arbitrator or referee or if for any cause the office of any arbitrator or referee becomes vacant, his successor shall be appointed in the same manner as is provided for the appointment in the first instance unless the parties otherwise agree.

Pending settlement business proceeds.

46 .Pending the settlement of the matter or matters submitted for arbitration each party shall continue to carry on its business in the regular manner and the standing of either party towards the other shall be in no way affected by the matter in controversy.

Agreement 27th March, 1909, cancelled.

47. This agreement is intended to supersede the agreement between the parties with reference to said portion (1) of the joint section, dated the twenty-seventh day of March A.D. 1909, and upon due execution of these presents

said agreement of the twenty- seventh day of March 1909 shall be deemed to be cancelled.

As witness the respective corporate seals of the said parties under the hands of their respective proper officers in that behalf.

W—5

THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

By CHARLES M. HAYS, [*Seal*]
President.

TEMISKAMING AND NORTHERN ONTARIO RY. COM'N.

J. L. ENGLEHART, [*Seal*]
Chairman.

A. J. MCGEE,
Sec'y.-Treasurer.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

W

An Act to ratify and confirm certain agreements between The Temiskaming and Northern Ontario Railway Commission and The Grand Trunk Railway Company of Canada.

Received and read first and second times

Wednesday, 14th February, 1912.

Honourable MR. GIBSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL W.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act to ratify and confirm certain agreements between The Temiskaming and Northern Ontario Railway Commission and The Grand Trunk Railway Company of Canada.

Preamble.

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

Agreement of 1st May, 1911, ratified.

1. The agreement made between The Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Commission," and the Company, dated the first day of May, A.D. 1911, a copy of which forms schedule "A" to this Act, is hereby ratified and confirmed and declared to be legal, valid, and binding on the Company in all respects whatsoever, as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act; and the Company is hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement.

Power to carry out its provisions.

Agreement of 1st December 1911, ratified.

2. The agreement made between the Commission and the Company, dated the first day of December, A.D. 1911, a copy of which forms schedule "B" to this Act, is hereby ratified and confirmed and declared to be legal, valid, and binding on the Company in all respects whatsoever, as fully and completely as if the said agreement, and each and

every clause thereof were set out at length and enacted in this Act; and the Company is hereby authorized and empowered to make the said agreement for the term of twenty-five years certain, with the right to extend the period of the said agreement for a further term of twenty-five years upon exercise by the Company of the option in the said agreement contained, and also to do whatever may be necessary to give full effect to the provisions of the said agreement, for the full term thereby contemplated.

Powers as to its term.

Power to carry out its provisions.

SCHEDULE A.

This agreement made the first day of May, A.D. 1911, between the Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Lessor," and the Grand Trunk Railway Company of Canada, hereinafter called "the Lessee."

Recitals.

WHEREAS the parties hereto contemplate and now have under consideration the terms of an agreement, hereinafter referred to as the "Running Rights Agreement" under which the Lessor shall grant to the Lessee the right jointly and equally with the Lessor of using and enjoying the freight terminals of the Lessor at North Bay and the main line of the Lessor's railway from North Bay to Cochrane.

And whereas the Lessor is the owner of lands for a right of way from the south easterly limit of said joint terminals at North Bay to a point adjoining the right of way of the Canadian Pacific Railway Company at Nipissing Junction and approximately opposite the terminus at Nipissing Junction of the Lessee's line of railway.

And whereas the Lessee has requested the Lessor to build and construct a branch or extension of the Lessor's railway over said lands from the said south easterly limit of said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction and to lease same to the Lessee.

And whereas it is desirable and in the public interest that the said branch shall be constructed so as to form a direct connection between the lines of railway of the Lessor and Lessee.

Now these presents witness that the agreement between the parties in the premises is as follows:

Lessor to construct branch.

1. The Lessor shall without undue delay proceed to lay out and construct according to the standard of construction of the Lessor's present line of railway, a branch or extension of the Lessor's said railway from the south easterly limit of the said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing

Junction aforesaid, for the purposes of which laying out and construction and every matter connected therewith the Lessor, its servants and agents, shall from time to time have access to and the right to possession of the said lands and every part thereof in the same manner as if this demise had not been made.

To lease same to G.T.R.

2. In consideration of the rents, covenants and agreements hereinafter contained the Lessor has demised and leased and by these presents doth demise and lease unto the Lessee, its successors and assigns, for the period and on the conditions hereinafter specified the said lands constituting the Lessor's right of way from the south easterly limit of said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction, together with the railway track and appurtenances herein referred to, to have and to hold the same and every part thereof unto and to the use of the Lessee, its successors and assigns, for the term of fifty years from the date on which the Lessee shall take possession of the premises subject to the right of either party to determine the said term at any time after the expiration of twenty years from the said date on not less than five years' written notice to the other party to that effect.

Habendum determinable after 20 years on 5 years' notice.

Rental 4½ p.c. of cost.

3. The rent payable by the Lessee to the Lessor hereunder shall be an annual sum equal to four and one-half per cent. of the cost of said right of way as herein agreed upon and of the laying out and construction of said branch of the Lessor's railway and of the cost of betterments, if any, made by the Lessor during the continuance of the said term, with the consent and approval of the Lessee, in accordance with the provisions hereinafter contained. The cost of said lands and of all surveys and other work done and performed thereon up to the first day of April, 1911, is hereby agreed as of the said first day of April, 1911, to be the sum of $6,968.33. Said rental shall include four and one-half per cent. of said sum reckoned from said first day of April, 1911, and four and one-half per cent. of each other item of expenditure by the Lessor in connection with the laying out and construction of said branch or in subsequent betterments as aforesaid made pursuant to the provisions hereof reckoned from the respective dates of payment thereof by the Lessor.

Betterments.

4. If at any time during the continuance of the said term the Lessor shall deem it necessary or expedient to make any expenditures upon capital account for the improvement of the said line of railway by way of replacement of structures by others more modern or for any other betterments, the Lessor may expend such sums and the amount thereof shall be added to the cost of the line and thereafter con-

sidered as part of the cost thereof upon which interest by way of rental at the rate aforesaid shall be paid by the Lessee; Provided that no such expenditure shall be entered upon or made without the consent and approval of the Lessee.

5. The Lessee shall pay before entering upon the use and occupation of the said line hereunder four and one half per cent. per annum of the said agreed cost of said lands from the said first day of April, 1911, to the date when the Lessee shall enter upon the occupation and use of said line hereunder and four and one-half per cent. of all expenditures by the Lessor in the laying out and construction of the said line from the respective dates of the payment of such expenditure as aforesaid to the date when the Lessee shall enter upon the occupation and use of said line hereunder, and the Lessee shall pay the rental as hereby fixed from and after the date of assuming the said occupation and use in equal monthly instalments, the first of such instalments to be made at the expiration of one month from the beginning of such use and occupation.

Time of payment of rental.

Lessor's right to use or grant joint use to other railways reserved.

6. Nothwithstanding anything contained in these presents the Lessor shall have the right at any time and from time to time during the continuance of the said term to use for its own purposes or to grant to any other railway company or companies the right to use the whole or any portion of the said line of railway jointly with the Lessee, provided that before exercising such right the Lessor shall give to the Lessee not less than sixty days' notice in writing of its desire so to do, specifying in such notice the portion of said line upon which said right is to be exercised; and in case the Lessor shall exercise such right it shall abate to the Lessee in respect of the portion of the line so used (a) such proportion of the maintenance and operating expenses thereof as the number of cars run over or upon any of such portion of said line of railway by the Lessor, or by any other such railway company or companies, or by both, as the case may be, shall bear to the whole number of cars run over or upon any of such portion of the said line of railway; (b) The proper aliquot portions, based upon the number of users of the said line or any part thereof pursuant to such notice, of that proportion of the rental payable by the Lessee hereunder which the number of miles of said line of railway specified in such notice shall bear to the total mileage of the said line.

New agreement for joint operation.

7. Should the Lessor give notice of its desire to use or to grant to any other Railway Company or Companies the right to use jointly with the Lessee the whole or any portion of the said line of railway as hereinbefore provided, the

parties hereto shall thereupon enter into an agreement containing all such provisions for the joint maintenance and operation thereof, not inconsistent with the provisions hereof, as may be reasonably required under the circumstances, it being understood that so far as they are applicable the provisions of the said running rights agreement shall be adopted as the basis of, and be incorporated in, any agreement hereinafter made in pursuance of this paragraph.

8. In case the Lessor shall not when said line is ready for use and occupation by the Lessee have paid all accounts in connection with such laying out and construction or shall not have delivered to the Lessee its accounts therefor or in case the Lessee shall not have had the opportunity to examine, audit and accept such accounts, the Lessee may pay, subject to adjustment, such amount as shall be demanded or required by the Lessor as rental up to the beginning of such use and occupation and the Lessor shall furnish to the Lessee a detailed statement showing all expenditure incurred by the Lessor in laying out and construction of said line, and will allow proper inspection by the Lessee or its servants or agents in that behalf of all pay-rolls, books, accounts and vouchers for the purpose of checking or verifying all such expenditure and shall afford proper facilities for such investigation, and upon the ascertainment by the parties of the true amount of such expenditure the accounts shall forthwith be adjusted accordingly, and in case the parties cannot agree as to the amount of such expenditure the same shall be determined under the provision for arbitration hereinafter contained.

Preliminary payment on statement subject to subsequent adjustment.

The Lessor will also from time to time furnish to the Lessee detailed statements shewing all expenditures incurred by the Lessor, with the consent and approval of the Lessee in betterments as aforesaid and will allow proper inspection by the Lessee, its servants or agents in that behalf of all pay-rolls, books, accounts and vouchers for the purpose of checking or verifying all such expenditure for such betterments, and shall from time to time afford proper facilities for such investigation and in case the parties cannot agree as to the amount of any such expenditure, the same shall be determined under the provisions for arbitration hereinafter contained.

Statements of betterments.

Inspection of pay rolls, etc.

10. The Lessee shall be entitled to install home or distant signals or other apparatus pertaining to interlocking plants on the said demised premises and will be entitled at the expiration or other determination of the said term to remove same subject to restoring the said demised premises to the same plight and condition as before the erection of or installation thereon of any such signals or other apparatus.

Lessee's signals.

Lessee's covenants.

11. The Lessee covenants with the Lessor as follows:

Will pay rent.

(*a*) That the Lessee will during the said term pay unto the said Lessor the rent hereby reserved in the manner hereinbefore mentioned without any deduction whatsoever.

And taxes.

(*b*) That the Lessee will pay all taxes, rates, duties and assessments whatsoever, whether municipal, parliamentary or otherwise, hereafter charged upon the said demised premises or upon the said Lessor on account thereof.

Repair.

(*c*) That the Lessee will during the said term from time to time well and sufficiently repair, maintain and keep the said demised premises and all the Lessor's structures thereon, including all fences and other the appurtenances of the said line of railway, in as good a state of repair and condition as that portion of the Grand Trunk Railway System between Toronto and North Bay.

Comply with legal requirements.

(*d*) That the Lessee will from time to time and at all times during the continuation of the said term observe and perform all the requirements of the law from time to time applicable to the operation of the said line and will bear and pay all the expenses incurred in doing and performing all such acts, matters and things as may be necessary for the maintenance and operation of the said line of railway in conformity with the laws of the Dominion of Canada and the Province of Ontario, respectively applicable thereto, and will indemnify and save harmless the Lessor of and from all costs, charges and expenses in the premises. Provided however, that nothing herein contained shall be construed as imposing upon the Lessee any obligation to construct, or provide at its own expense any work or structure of a permanent character, or which can be regarded as a betterment, which is at any time during the said term directed or ordered by any board or authority duly constituted under the laws of the said Dominion or Province or is directed or ordered by any Act of the Parliament of Canada or of the Legislature of the Province of Ontario, it being the understanding and intention that all material required to be provided and work done in connection with any such work or structure, shall be provided and done by and at the cost of the Lessor, and that interest at the rate of four and a half (4½) per cent. shall be thereafter paid thereon by the Lessee as additional rental hereunder irrespective of whether the Lessee shall or shall not have consented to such expenditure.

(*e*) That the Lessee, its successors and assigns shall not nor will during the said term, assign, transfer or set over or otherwise by any act or deed permit the said premises or any of them to be assigned, transferred, set over or sublet unto any person or persons, company or companies whomsoever without the consent in writing of the Lessor, its successors and assigns, first had and obtained. Will not assign without consent.

(*f*) The Lessee at the expiration or other determination of the said term will yield up the said line of railway, structures and appurtenances to the Lessor in as good plight and condition in all respects as the same shall be in at the beginning of the use and occupation thereof by the Lessee hereunder and as to any structure or other matter or thing covered by the Lessor's betterments as aforesaid in as good plight and condition as the same were on the completion of such respective betterments; and in case the said railway, structures and appurtenances or any part thereof shall not at the expiration or other determination of the term hereby granted be so delivered up in as good plight and condition as at the beginning of such occupation or as to any such betterments in as good plight and condition as at the completion thereof respectively the Lessee will pay to the Lessor in cash such sum as shall be sufficient to cover the cost and all incidental expenses of bringing the said railway structures and all appurtenances or such of them as shall not be in such plight and condition as aforesaid in all respects up to such standard; and in case the parties cannot agree upon the amount payable hereunder the same shall be fixed by arbitration as hereinafter provided, it being expressly agreed that the Lessee shall not be entitled to any payment or allowance in respect of any betterments of any kind made or claimed to be made by the Lessee, the true intention and meaning of these presents being that any betterments made by the Lessee shall be deemed and understood to be made for the Lessee's own benefit during the said term. Delivery of possession.

12. Provided always and it is hereby expressly agreed that if and whenever the rent hereby reserved, or any part thereof, shall be unpaid for sixty days after any of the dates on which the same ought to have been paid, although no formal demand shall have been made therefor, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the Lessee, its successors or assigns, then and in either or any of such cases it shall be lawful for the Lessor at any time thereafter into and upon the said demised premises or any part thereof Right of re-entry on default.

in the name of the whole to re-enter and the same to have again, re-possess and enjoy as of its former estate therein, anything herein contained to the contrary notwithstanding.

Lessor covenants for quiet enjoyment.

13. The Lessor hereby covenants with the Lessee that the Lessee making the payments herein agreed to be made and performing, observing and fulfilling the covenants and the terms and conditions herein contained on the part of the Lessee to be observed, performed and fulfilled, shall from time to time and at all times hereafter during the said term have and enjoy the use and occupation of the said demised premises according to the terms and conditions herein contained without interruption or interference by the Lessor or any other party or parties whomsoever lawfully claiming under the Lessor.

Mode of giving notice.

14. In case of any notice to be given to or by the Lessor hereunder or in case of any demand to be made by or on behalf of or upon the Lessor hereunder the same, except where any other mode shall be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the Chairman or Secretary of the Lessor for the time being; and in case of any consent required to be given by the Lessor the same shall, unless otherwise required by the context, be given by the Chairman for the time being of the Lessor and shall for all purposes be binding upon the Lessor; and in case of any notice to be given to or by the Lessee hereunder or in case of any demand to be made by or on behalf of or upon the Lessee hereunder the same, except where any other mode shall be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the President or Senior Vice-President of the Lessee for the time being; and in case of any consent required to be given by the Lessee the same shall, unless where otherwise required by the context, be given by the President or Senior Vice-President for the time being of the Lessee, and shall for all purposes be binding upon the Lessee.

Differences to be arbitrated.

15. Any difference which may at any time arise between the parties hereto respecting or by reason of any of the provisions of this agreement, or as to the true intent and meaning thereof, or respecting anything to be performed, ascertained or determined for the purpose of fully carrying out the same, or of any agreement for the joint maintenance and operation thereof or of any portion thereof, as contemplated by Clause 7 hereof, shall if not amicably adjusted be from time to time, as the same arises, submitted to arbitrators appointed as follows: Each of the parties hereto shall appoint an arbitrator or referee, but should either party fail to appoint such arbitrator or referee within ten days

after the receipt of written notice of the appointment by the other of its arbitrator or referee, then the arbitrator or referee first appointed may select another arbitrator or referee. The two so appointed shall select a third arbitrator or referee and their award or the award of the majority of them made after due notice to both parties of the time and place of hearing the matter referred to and after affording full opportunity to the parties to be heard and to adduce evidence, shall be final and binding upon both parties and they expressly agree to abide thereby. In case the two arbitrators or referees first appointed shall fail to appoint a third arbitrator within ten days after the appointment of the one last appointed then a third arbitrator or referee may be appointed by a Judge of the High Court of Justice for Ontario on the application of either party after ten days' notice to the other. In case of the death or refusal to act of any arbitrator or referee, or if for any cause the office of any arbitrator or referee becomes vacant, his successor shall be appointed in the same manner as is provided for the appointment in the first instance unless the parties otherwise agree.

Pending the final disposition of the matter or matters submitted for arbitration each party shall continue to comply with and carry out the provisions of this agreement and the standing of either party towards the other shall be in no way affected by the matter in controversy.

16. These presents shall be binding upon and shall enure to the benefit of the successors and assigns of the parties respectively.

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

[*Seal*] TEMISKAMING AND NORTHERN ONTARIO RY. COM'N.

J. L. ENGLEHART,
Chairman.

A. J. MCGEE,
Secy.-Treasurer.

THE GRAND TRUNK RAILWAY COMPANY. OF CANADA.

By CHAS. M. HAYES. [*Seal*]
President.

SCHEDULE B.

This agreement made the first day of December, A.D. 1911, between the Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Commission," and the Grand Trunk Railway Company of Canada, hereinafter called "the Grand Trunk."

Witnesseth that it is agreed between the said parties as follows:—

Description of joint section.

The expression "joint section" shall mean: (1) The terminal yards of the Commission at North Bay, and (2) That portion of the Railway of the Commission extending from such terminal yards to the crossing of the Railway of the Commission at or near Cochrane Station by the Eastern Division of the National Transcontinental Railway, which parcels (1) and (2) are shown in red on the plans marked respectively (A) and (B) attached to and forming part of this Agreement and identified by being signed by the Chief Engineer of the Commission and by the Chief Engineer of the Grand Trunk. The said expression "joint section" shall also be deemed to include all right of way, tracks, side tracks, bridges, stations, ticket offices, waiting rooms, dining rooms, freight sheds, warehouses, engine houses, car houses and sheds, weigh scales, turntables, water tanks, water plants, coal chutes, switches, stockyards, semaphores, signals and all other buildings and structures of any nature whatsoever erected or constructed upon the lands and premises comprised within either of said parcels (1) and (2) with all appurtenances, fixtures, plant, furniture, fittings, utensils and articles located upon or appertaining to or used in connection with the said lands and premises, and also such lands and premises and such buildings, improvements, facilities, additions and extensions as may in accordance with and pursuant to the provisions of this agreement be hereafter required, erected, provided or made for the purposes of the joint section and to enable the parties hereto to fully perform and carry on their business as herein contemplated. Provided however, that the said expression shall not include the repair shops and store buildings of the Commission at North Bay and Englehart.

In consideration of the compensation hereinafter mentioned and of the covenants and agreements hereinafter contained, the Commission has granted and by these presents doth grant unto the Grand Trunk, its successors and assigns, for the period and upon the conditions hereinafter specified the right jointly and equally with the Commission of using and enjoying the joint section with its

appurtenances, and of having the business and traffic of the Grand Trunk done in and about any and all of the stations and premises comprised within the joint section, together with a full and unrestricted and unencumbered use in common with the Commission of the joint section, including all tracks from time to time comprised within the joint section or used in connection therewith and the right to make all such track connections with the joint section as may be required for the purposes of this agreement. Grant of joint use.

To have and to hold the said rights and privileges unto the Grand Trunk, its successors and assigns, for the period of twenty-one years from the day on which the Grand Trunk begins to use the joint section, paying as compensation therefor to the Commission, its successors and assigns, the fixed yearly sum of three hundred thousand dollars, and from time to time further sums equal to four and one-half per cent. of one-half of all expenditures for betterment of the joint section which have since the first day of July, 1911, or which shall hereafter during the continuance of this agreement, be made by the Commission with the approval of the Grand Trunk as hereinafter provided, which compensation shall be payable in equal sums monthly on the twentieth day of every month in each year, or a proportionate sum for any fractional part of a month, the first payment to be made on the twentieth day of the month next following the month on which the Grand Trunk begins to run its trains over the same. Habendum 21 Years $300,000.00 and Interest on ½ cost of betterments.

These presents are made and entered into upon and subject to the provisions and conditions hereinafter expressed and contained, for the due performance and observance of all of which on the part of each of them to be done and performed the Commission and the Grand Trunk bind themselves and each of them respectively, their successors and assigns, that is to say:

1. The Grand Trunk shall during the continuance of this agreement pay to the Commission the said compensation in the manner and at the times hereinbefore mentioned without any deduction whatsoever save for the reasons and on account of the happening of any contingency hereinafter mentioned; all payments to be made to the Commission in gold of the present standard of value or its equivalent in Canadian currency, at the offices of the Commission in Toronto. Payment in Toronto.

2. The Commission shall at all times keep up and maintain in good repair and in a thorough efficient working condition the joint section and all appurtenances thereto or to be enjoyed in connection therewith, and shall also supply and properly equip and at all times keep equipped Covenant for maintenance.

all stations and other buildings, the right and privilege of using which is included in this grant with the requisite furniture, plant, tools and equipment. The joint section shall be kept and maintained at a standard equal to that portion of the Grand Trunk Railway between Nipissing Junction and Toronto.

Free and unlimited use of all facilities.

3. Subject to the terms and conditions of these presents the Grand Trunk shall for all purposes of its business and traffic have under the reasonable rules and regulations of the Commission free and unlimited access to and the free and unlimited use as the same are now or may at any time hereafter be had and enjoyed by the Commission of all stations, depots, freight and ticket offices, freight sheds, baggage rooms, dining rooms, warehouses, engine houses, car houses and sheds, fuel sheds, water tanks and other buildings and structures comprised within the joint section and all fixtures, plant, furniture and fittings appertaining thereto, as well as all weighing scales, baggage and freight trucks and other articles or utensils.

Destruction by fire.

4. If any of the said buildings, accommodations or facilities or anything appertaining thereto be destroyed by fire or other casualty either in whole or in part the Grand Trunk shall have no claim against the Commission for damages on account of loss of accommodation but shall have, free of any charge other than the aforesaid compensation, a proportionate share of such accommodation as the Commission may be able to provide for the purpose of its business and traffic and of the new accommodation so soon as the same may be provided, and except as may from time to time be otherwise agreed upon between the parties the reconstruction of such buildings and the providing of accommodation in accordance with the former design and to the same extent as previously shall be proceeded with by the Commission at its own cost with all reasonable despatch. All buildings and erections and all furniture and equipment forming part of or comprised within the joint section shall be insured against loss or damage by fire so far as this can be done and the cost of so doing shall be part of the working expenses hereinafter referred to. Neither party shall be required or be liable to insure any property of the other party, nor save as aforesaid shall the working expenses include any outlay on account of insurance.

Parties to have equal rights.

5. Except where otherwise herein provided the parties hereto shall have and enjoy in all respects equal rights upon and to the use of the joint section and the trains of the Grand Trunk shall in every respect be treated by the officers, agents and employees in charge or control of, or engaged upon the joint section, as trains of a similar class of the Commission and shall equally have preference over

trains of an inferior class belonging to either of the parties, the superior class trains being in all cases given preference over trains of an inferior class. The Grand Trunk shall have a right to run over the joint section all classes of trains, passenger, mixed, freight and other trains. In case of doubt between the trains of the Commission and the trains of the Grand Trunk of the same class, the trains of the Commission shall under the established rules have the preference. The main tracks of the joint section shall as far as practicable be kept unobstructed for the use of the regular trains of both parties.

In case of doubt trains of Commission to have preference.

6. The schedule for the arrival and departure of the trains of the parties hereto at and from North Bay and at and from the junction with the Eastern Division of the National Transcontinental Railway at or near Cochrane and at and from intermediate stations on the joint section shall be fixed from time to time by agreement between the proper officers of the parties hereto, having due regard to the necessity on the part of the Grand Trunk to make such through train schedules with the Grand Trunk Pacific Railway Company as will enable those Companies to meet competition. Reasonable notice of any desired change in such schedule shall be given by the proper official of the Grand Trunk to the proper officer of the Commission, who shall thereupon make and furnish as far as it is practicable a proper and satisfactory schedule or time card for the movement of all trains of both parties on the joint section. All schedules shall give equal rights to the trains of both parties of a similar class as provided by clause 5 hereof. In preparing such schedules and fixing the speed of the trains of the Grand Trunk any reasonable request of the officials of the Grand Trunk made from time to time shall be given effect to. In the event of any dispute arising as to any schedule the matter in dispute shall if the parties fail to agree, be referred for determination to arbitrators appointed in the manner hereinafter provided. When the trains of the Grand Trunk are running behind time their movements shall be directed and controlled in the same manner as trains of a similar class of the Commission when out of schedule time.

Train schedule.

7. The joint section, subject to the general control of the Commission, shall be in charge of the Superintendents of Traffic and of Maintenance appointed by the Commission and who shall be acceptable to and approved by the Grand Trunk and be subject to dismissal for good cause upon the written demand of the Grand Trunk. They shall have superintendence over the management and operation of the joint section and over all persons from time to time employed thereon or engaged in any service or duty con-

Superintendents of Commission to have charge of joint section.

nected therewith. The powers and duties of each such Superintendent shall be clearly defined by the Commission and shall be exercised and performed in a reasonable and just manner as between the parties and without discrimination or preference in favor of or against either. The Superintendents will comply with and carry out any instructions given by the proper officer of the Grand Trunk in regard to the movement of its trains, engines or cars, or the handling of its traffic, so far as it is practicable so to do, due regard being had to the rights of the Grand Trunk under this agreement. They shall within the scope of the defined powers conferred upon them respectively, have the control of all subordinate officers and employees engaged in or about the operation, maintenance, renewal and repair of the joint section and subject to the terms hereof, also have control of all enginemen, trainmen and other employees of either of the parties while engaged in the handling of trains, cars or engines upon the joint section. Any officer or employee from time to time employed in the operation, maintenance, repair or upkeep of the joint section shall, upon the written request of the Chief Executive officer of the Grand Trunk, be removed for cause.

Officers may be removed for cause.

G.T.R. trains to be manned by G. T. R. employees subject to regulations of Commission.

8. Except as herein otherwise provided, the engines, cars and trains of the Grand Trunk shall be manned exclusively by employees of the Grand Trunk, who shall while upon the joint section be subject to the rules and regulations hereinafter provided for and be under the direction of the Superintendent of Traffic of the Commission so far only as the movements of the engines, cars and trains are concerned. The rules and regulations for the running and working of trains and for the guidance and conduct of all employees of either or both parties while running over or being upon the joint section and making use in common of the tracks ,buildings and appurtenances thereof, and so far as practicable all rules governing the use of the joint section and all police regulations generally shall be those prescribed by the Commission for the government of its own employees. Special rules applicable to the joint section and due to the requirements of this agreement may from time to time be agreed upon by the Executive Officers of both parties hereto and shall thereupon be enforced by the proper officers but no such rules shall interfere in any way with the full enjoyment of the rights of either of the parties hereunder.

Switch connections.

9. The Commission shall construct the necessary switch connection or connections between the tracks of the Commission and those of the Eastern Division of the National Transcontinental Railway at the point as indicated on the plan attached hereto and the cost thereof and all expenses of

and incidental to the maintenance, operation, repair and renewal thereof shall be included in and form part of working expenses under this agreement.

10. The Superintendents of the Commission respectively having charge of the maintenance and operation of the joint section and all train despatchers, station agents, clerks, telegraph operators, station baggagemen, switchmen, signalmen, gatemen, flagmen, bridge-tenders, trackmen and all others employed upon or engaged in the maintenance, repair or renewal of the joint section or any part thereof or in controlling the movement of trains over the same (but not including enginemen or trainmen in the exclusive employ of one of the parties hereto) and generally all agents or employees whose salaries or wages in whole or in part are included in the working expense account hereinafter provided for shall, though paid by the Commission in the first place, be deemed to be joint agents or employees of both parties hereto and shall render equally to each party and with strict neutrality such service as they may be called upon to render or should render within the scope of their respective positions or employment and shall be subject to dismissal if they decline, neglect or refuse to render such assistance and service to the Grand Trunk as such employees are usually called upon to render, or be or become incapable to fully and satisfactorily perform their respective duties or for other good cause shown by the Grand Trunk to the Commission. Every request of the Grand Trunk under this clause shall be fully and justly dealt with by the Commission and any decision of the Commission in respect thereof shall be subject to appeal to arbitrators appointed as hereinafter provided.

Superintendents and employees to render equal service to both parties.

11. The expenses chargeable to the maintenance and repair of the joint section herein referred to as "working expenses" shall be payable by the Commission in the first instance and shall include:

Working expenses.

(*a*) The cost of repairs and renewals of tracks and structures comprised within and forming part of the joint section and required for the proper maintenance thereof including in the cost transportation (not at tariff rates but at the rate of five mills per ton per mile) of all materials required therefor and the labor incidental thereto. Provided that the market value during the month in which the same are released of the rails, iron and other materials renewed or replaced shall be credited to working expenses. Provided further that any additional cost of rails due to an increase in the rolled weight of the new rails over that of the old shall be charged to capital account

Repairs.

Maintenance of works for protection of public.

(*b*) The cost of maintenance of any works for the protection of the public and the trains and cars of the parties hereto respectively at highway or railway crossings on the joint section where protection may be required by law or where it may be deemed necessary by the parties hereto.

Maintenance and operation of switches.

(*c*) The cost of maintenance and operation of the switches connecting the joint section tracks with those of the Eastern Division of the Transcontinental Railway at or near Cochrane and with the line of the Commission between North Bay and Nipissing Junction to be constructed under the terms of a certain other agreement between the parties hereto dated the first day of May, 1911, including the cost of the maintenance and operation of any interlocking plant or protective appliances, if any, in connection therewith payable by the Commission.

Maintenance ordered work.

(*d*) The cost of the maintenance of any works carried out in pursuance of the orders of any legally constituted authority affecting the joint section or any part thereof.

Insurance.

(*e*) Insurance premiums if any payable in respect of structures on the joint section.

Supplies, salaries, wages and expense accounts.

(*f*) The cost of fuel and supplies furnished for, and the proper wages of the crews engaged in, operating switching engines on Portion (1) of the joint section and at Englehart and in the making up of trains as provided in paragraph 34; the entire salaries, wages and expense accounts of all officers and employees engaged exclusively in the maintenance, repair and renewal of the joint section or in controlling the movements of engines and trains over the same (not however including enginemen and trainmen in the exclusive employ of either party); a fair proportion of the salaries and wages of all such employees as may be partially or occasionally engaged in such work and in respect of general supervision, a reasonable proportion of the salaries and expense accounts of the Commissioners and of the salaries, wages and expense accounts paid by the Commission to its Superintendents of Traffic and of Maintenance having charge of the joint section and to its Secretary and Auditor and to the staffs of such Superintendents, Secretaries and Auditor, which staffs shall include subordinate officers; such proportion to be from time to time adjusted between the parties as the conditions may warrant, or failing adjustment, to be determined by arbitrators appointed as hereinafter provided.

"Terminals working expense account."

12. Accounts called "Terminals working expense account" and "Main track working expense account," shall be kept by the Commission and monthly statements rendered to the

Grand Trunk as early in each month as reasonably possible showing separately in such detail as is reasonable and proper the working expenses for the preceding month of portions (1) and (2) of the joint section. Provided however that the working expenses of Englehart yard shall be shown separately and be divided upon the same basis as the working expenses of portion (1). Such statements shall as to portion (1) of the joint section include, in addition to such other details as are reasonable and proper, particulars:— "Main track working expense account."

(*a*) Of every car which formed part of any train and of the locomotive hauling such train which arrived at and of every car which formed part of any train and of the locomotive hauling such train which departed from portion (1) of the joint section or from Englehart yard during the preceding month each car and each locomotive being counted once on arriving at and once on leaving North Bay or Englehart yard as the case may be, Provided however that any empty car entering portion (1) of the joint section or Englehart yard for the purpose of taking up passengers or leaving the same after discharging passengers or the engine or engines moving the same shall not be counted, and Provided also that cars forming part of through trains and not set out at portion (1) of the joint section or at Englehart yard shall be counted but once; every revenue switch movment to be counted as one car. Cars using terminals.

(*b*) Of the total number of tons of freight handled in and out of the freight house or freight shed (including transfer platform) at North Bay during the preceding month, showing separately the number of tons so handled for each of the parties hereto. North Bay tonnage.

(*c*) Of the total number of engines despatched from the engine houses at North Bay and Englehart respectively during the preceding month, showing separately the number of engines so despatched for each of the parties hereto. Engines despatched.

13. The Grand Trunk shall within sixty days of the receipt of such statements respectively pay to the Commission as its proportion of the working expenses of portion (1) (including Englehart yard) of the joint section during the preceding month as follows: Payment within 60 days.

(*a*) Such proportion of the cost of maintaining and operating the said engine houses at North Bay and Englehart respectively, during the preceding month, as the number of engines despatched for the Grand Trunk from such engine house during such month bears to the total number of engines despatched therefrom, during such month. Engine houses at terminals.

North Bay freight shed.

(*b*) Such proportion of the cost of maintaining and operating the freight shed at North Bay during the preceding month as the number of tons of freight handled in and out of the freight shed (including transfer platform) for the Grand Trunk during such month bears to the total number of tons of freight handled in and out of said freight shed (including transfer platform) during such month.

Yard expenses.

(*c*) Such proportion of the working expenses (as herein, before defined) incurred in connection with the station yard and tracks included in portion (1) of the joint section and Englehart yard respectively, during the preceding month as the number of cars arriving at and of cars departing from North Bay and Englehart yard respectively in the trains of the Grand Trunk during such month and using the said yards and counted in accordance with the provisions of the preceding clause shall bear to the total number of cars so counted arriving at and of cars departing from North Bay and Englehart yard respectively during such month and using the joint yards.

Expenses portion 2 divisible on car mileage basis.

14. The Grand Trunk shall within sixty days of the receipt of such statements respectively pay to the Commission in respect of portion (2) of the joint section such proportion of the working expenses shown as having been expended in respect of portion (2) of the joint section during the preceding month as the total engine and car miles made upon said portion (2) of the joint section during the month covered by such statement by the engines and cars of all classes, both loaded and empty, comprised in the trains of the Grand Trunk, shall bear to the total engine and car miles made upon said portion (2) of the joint section during the preceding month by all engines and cars of all classes both loaded and empty.

Rendering accounts.

15. The accounts referred to in the preceding paragraph may be rendered by delivering the same to the General Auditor of the Grand Trunk at Montreal or to such other officer as may be designated to the Commission by the Grand Trunk from time to time or by sending the same through the Post Office, postage prepaid, addressed accordingly.

Inspection of books.

16. From time to time and at all times during the continuance of this agreement the Commission will allow proper inspection by the officers and agents of the Grand Trunk of all pay-rolls, books, accounts, returns and vouchers for the purpose of checking or verifying accounts rendered by the Commission to the Grand Trunk in pursuance of this agreement. The Grand Trunk shall have the right from time to time to employ an Auditor to investigate the accuracy

of any such account or accounts and the Commission shall at all times afford proper facilities for such investigation. Neither the acceptance of any such account or accounts nor the payment thereof by the Grand Trunk shall prejudice its right to an audit or verification, and if upon such audit or verification or at any time it shall be found that the Grand Trunk has paid or allowed the Commission any sum or sums of money which under the provisions of this agreement it is not liable to pay or which should not have been allowed the Grand Trunk shall be entitled to demand and collect such sums. Audit.

Provided however that the Commission shall not be bound to accept the rulings of any such Auditor employed by the Grand Trunk and that in case the parties cannot agree as to any such questions of account the same shall be determined under the provisions for arbitration hereinafter contained.

17. Each party will allow the other proper inspection by its agents of all books, accounts, returns, vouchers and reports relating thereto for the purpose of checking and verifying any and all accounts which shall be rendered by the party against whom inspection is sought in respecting any loss, injury or damage which the last named party may suffer or sustain and which under the terms hereof is to be assumed or borne in whole or in part by the party seeking inspection and also for the purpose of checking and verifying all statements and returns of the number of engines and cars of either of the parties transported on or over the joint section or any part thereof and the tonnage handled in the terminal yard or the engines using the engine houses or of ascertaining any information or particulars to which the other party shall be entitled hereunder. Mutual rights of inspection.

18. The Grand Trunk shall be entitled to carry on through and interchanged express business on the joint section upon the terms of such agreement in respect thereto as shall be entered into between the Commission and the Canadian Express Company and shall be entitled to do freight, passenger and mail business over the joint section as follows: Business which Grand Trunk may do on joint section.

(*a*) All passenger and mail business and all freight business originating on the Grand Trunk or Grand Trunk Pacific Railway or their respective connections and carried over the joint section on the trains of the Grand Trunk for furtherance over the lines of the Grand Trunk or Grand Trunk Pacific Railway or their respective connections, shall be Grand Trunk business and shall be carried at rates lawfully fixed by the Grand Trunk irrespective of the Commission and all revenue therefrom shall belong to the Grand Trunk. Through G.T.R. business.

Local business at commission rates.

(*b*) All other business which under the terms of this agreement the Grand Trunk is authorized to carry on on the joint section is agreed and declared to be local business of the Commission and the right of the Grand Trunk to carry on the same is subject to its being carried on so far as the joint section is concerned at the rates lawfully fixed by the Commission irrespective of the Grand Trunk.

Interchanged freight.

(*c*) Subject as aforesaid the Grand Trunk shall be entitled to transport in its trains over the joint section and to deliver at North Bay, Cochrane or any intermediate point on the joint section all cars containing freight originating on the Grand Trunk or Grand Trunk Pacific Railway or their respective connections consigned to North Bay, Cochrane or to any one intermediate point on the joint section or to any point or points on branch lines connecting with the joint section; and to receive at North Bay, Cochrane and intermediate points and to transport in its trains over the joint section or any part thereof cars containing freight consigned to points on the lines of the Grand Trunk or Grand Trunk Pacific Railway or their respective connections. Provided that such freight shall be carried subject to the payment by the Grand Trunk to the Commission in respect thereof of twenty-five per cent. of the rates from time to time lawfully fixed by the Commission as aforesaid as payable for the carriage of such freight over the joint section or the portion thereof over which such freight shall be so carried by the Grand Trunk in its trains. Provided further that this shall not be construed as entitling the Grand Trunk to do what is commonly known as local way freight business, and Provided further that on portion (2) of the joint section the Grand Trunk shall not be required to place cars at freight houses or on private sidings or on public team tracks when in their judgment such work would cause objectionable delay to Grand Trunk trains but this work shall in such event be done by the engines and cars of the Commission.

Interchanged passenger and mail business.

(*d*) Subject as aforesaid the Grand Trunk shall be entitled to carry on its passenger trains passenger traffic and mails reaching North Bay via Grand Trunk Railway or Cochrane via Grand Trunk Pacific Railway for carriage to local points on the joint section or *vice versa* and passenger traffic and mails originating at Cochrane for carriage to North Bay without stop over or *vice versa* subject to the payment by the Grand Trunk to the Commission in respect thereof of twenty-five per cent. of the revenue received by the Grand Trunk for

such mail service and twenty-five per cent. of the rates from time to time lawfully fixed by the Commission as payable for the carriage of such passenger traffic over the joint section or the portion thereof over which such passenger traffic shall be so carried by the Grand Trunk upon its trains.

Local passenger and mail traffic.

(*e*) Subject as aforesaid the Grand Trunk shall further whenever it shall be impracticable to prevent the carriage of such traffic on its trains be entitled to carry on its passenger trains:—

(1) Passenger traffic and mails reaching joint section by the Canadian Pacific Railway Company or by any carrier other than the Grand Trunk or the Grand Trunk Pacific Railway Company for carriage to any point on the joint section, including Cochrane and North Bay.

(2) Passenger traffic and mails originating at North Bay or at Cochrane destined to any point on the joint section and *vice versa*.

(3) Local passenger traffic and mails between points on the joint section.

75% to Commission 25% to G.T.R.

Subject to the payment by the Grand Trunk to the commission of seventy-five per cent. of the revenue received by the Grand Trunk for such mail service and seventy-five per cent. of the rates from time to time lawfully fixed by the Commission as payable for the carriage of such traffic over the joint section or the portion thereof over which such passenger traffic shall be so carried by the Grand Trunk upon its trains. Provided however that if the Commission shall at any time by written notice request the Grand Trunk to carry any such passsenger traffic or mails upon any specified passenger train or trains of the Grand Trunk, the revenue received by the Grand Trunk for such passenger and mail service so carried on such specified train or trains shall, until the withdrawal in writing of such request be divided as follows: twenty-five per cent. thereof to the Commission and seventy-five per cent. thereof to the Grand Trunk.

Proviso 25% Commission 75% G.T.R.

Tickets for G.T.R. points.

19. The Commission shall at all times keep on sale at all stations on the joint section or other agencies for the sale of tickets an adequate supply of tickets of the issue of the Commission for all points on the Grand Trunk, its allied lines and connections, and the baggage of passengers using any such tickets from a point on the joint section shall be checked through to destination.

Each party responsible for accidents on its own trains.

20. Each of the parties hereto assumes all responsibility for accidents or casualties upon or to its own trains and to its passengers, freight and employees, by reason of any

imperfection of the track or misplacement of switches by its own or a joint employee or by strangers and for damages for live stock killed or injured or by reason of injuries that may occur to persons walking upon the track or at highway crossings (if any liability therefor) or from any other cause (aside from or except collision between the trains of the parties hereto or the negligence of an exclusive employee of the other party) and no such accident or casualty shall give either party a right of action or claim against the other, it being the intention and design that each party shall be responsible for its own trains, passengers, freight and employees for the conduct of its own and joint employees as regards such trains, passengers, freight and employees, and generally, except when the other party or its exclusive employees are at fault.

Party at fault to pay.

21. In case of injury to persons or property not in transit upon the trains of either party or of any damage by fire to the joint section or lands adjoining the same caused by or resulting from the operation of the trains of such party upon the joint section the party at fault shall without regard to the physical condition of the joint section or its appurtenances pay the full amount of the liability. Provided that in the event of its being impossible from want of evidence or otherwise to fix the liability in any such case upon one of the parties hereto the amount of such liability, including all costs, shall be apportioned between and be assumed and borne by the parties in the proportion for each that the number of its cars passing over the joint section at the point where the damage or injury occurred during the current month in which such damage or injury happened bears to the whole number of cars of both parties passing over such point during such current month. Provided further however that the Commission shall not be bound to contribute toward any loss or damage or costs which the Grand Trunk shall sustain or be put to by reason only of any statutory liability irrespective of negligence at any time lawfully imposed upon the Grand Trunk but not so imposed upon the Commission. In the event of loss, damage or injury occurring or being caused to persons or property upon or by the trains of either party the proper officer of the party upon or by whose trains such loss, damage or injury occurred or was caused shall settle the same and in all such cases of settlement any release executed shall be so made as to include and free and discharge both of the parties hereto from all further liability to the claimant.

Apportionment when fault unascertainable.

Except statutory liability of G.T.R.

Release to discharge both parties.

Collision.

22. In all cases of collision between the trains of the parties hereto the party whose employees or trains are at fault and were or shall be found to have been the occasion of the collision shall be responsible to the other party for

all damages caused by or resulting from such collision, but in case the proper officers of the parties hereto are unable to agree as to which was at fault or as to the cause of the collision, or as to the amount of the damage done, the questions arising in respect thereto shall be referred to arbitration in the manner hereinafter provided for the settlement of differences and disputes and the party hereto which shall be found responsible shall indemnify, save harmless and defend the other from and against all claims, costs and proceedings resulting from or growing out of such fault, and the party so adjudged liable to pay the other any damages in respect thereof shall abide by and forthwith perform and comply with the award of the arbitrators which shall in all cases be final and shall terminate the controversy between the parties.

Damage through fault of joint agent.

23. All loss or damage to person or property upon the trains of either of the parties hereto caused by the negligence or fault of any joint agent or employee of the parties hereto in the course of his employment shall be borne and paid by the party upon whose train such loss or damage occurs, but this clause shall not give to any third party any claim or cause of action.

Mutual indemnity.

24. The parties hereto respectively shall indemnify, save harmless and defend each other from all loss, damage or injury which either party agrees hereunder to assume, and from all claims, costs and proceedings resulting from and arising out of or payable by reason of any such loss, damage or injury and in case proceedings be commenced against either party hereto for any loss, damage or injury which the other agrees hereunder to assume or bear, the party proceeded against may give notice thereof to the other and thereupon such other party shall at once assume the defence of such proceedings and save the party proceeded against harmless from all loss and costs. In case proceedings are commenced against both parties for loss, damage or injury which is to be assumed or borne by one of them, such one shall assume the defence of such proceedings and save the other party hereto harmless from all loss and costs. In case proceedings are commenced against one party hereto for loss, injury or damage, for which both parties are liable to contribute hereunder, the other party shall join or assist in defending and any costs and damages awarded shall be borne in the proper proportion provided for hereunder according to the circumstances.

Damages through negligence to be made good by party in fault.

25. In the event of the destruction of or damage to any of the tracks, depots, bridges, culverts or other structures on the joint section as a result of the carelessness or by reason of the negligence of one of the parties hereto, the expense (in excess of the amount of insurance received) of

replacing or renewing the property of the same general character as that destroyed shall be entirely paid by the party at fault. Provided that in case by consent of both parties any new work substituted for that damaged or destroyed shall be of a better character than the old and can be considered as a betterment, so much of the cost as would restore the property to its former condition shall be paid by the party at fault as above provided and the balance of the cost shall be added to capital account subject to the payment by the Grand Trunk of a sum equal to interest at the rate of four and one-half per cent. per annum upon one half thereof during the continuance of this agreement as hereinbefore provided. The cost of all betterments exceeding the sum of two hundred dollars, or of additional works such as second main track, side tracks, etc., on the joint section made by the Commission because of increased traffic for the more economical operation of trains, or under the provisions of any statute, order or by-law binding upon the Commission, shall be added to and included in the capital account upon one-half of which the Grand Trunk shall pay a sum equal to four and one-half per cent. per annum as aforesaid. All individual betterments costing two hundred dollars or less shall be charged as part of working expenses. For the purpose of this clause any work or structure of a permanent character which at any time during the continuance of this agreement is constructed pursuant to the direction or order of any Board or authority duly constituted under the laws of the Dominion of Canada or of the Province of Ontario or pursuant to the provisions of any Act of the Parliament of Canada or of the Legislature of the Province of Ontario shall be regarded as a betterment and the cost thereof be added to and included in the capital account.

Betterments exceeding $200 to be charged to capital account.

26. Neither of the parties hereto shall have any claim or right of action against the other by reason of any interruption or delay to traffic on the joint section by the destruction of or damage to any of the tracks, structures or facilities covered by this agreement howsoever same may be caused.

No claim for interruption or delay.

27. If any additional buildings, tracks or facilities or any betterments or improvements on the joint section or any part thereof or any additional lands therefor be in the opinion of either of the parties required for the reasonable purposes of the business of both or either of them, the parties shall consult together with a view to agreeing with reference thereto and in case the parties agree to any such additional buildings, facilities, betterments, or improvements or additional lands, the cost thereof less the then value of all iron and other materials replaced, shall be charged to capital account, and a sum equal to interest at the rate of four and one-half per cent. per annum on one half of such cost shall be payable by

Additional facilities where one party objects to same as betterments on joint account.

the Grand Trunk during the continuance of this agreement as additional compensation for the rights granted hereunder. In case either party shall desire to extend the joint section or to secure additional lands and construct thereon buildings or other facilities and the other party shall decline to have such extension made on joint account, or in case either party shall desire additional buildings or facilities or to make further betterments on the joint section and the other party shall decline to have same constructed, provided or made on joint account, then such extensions may be made or such facilities provided or such construction proceeded with by the party desiring the same, and such extension, facilities or constructions shall not be deemed part of the joint section but shall belong to, and shall be maintained and operated by, and at the exclusive expense of the party making same. The Grand Trunk shall have the right to connect any track or tracks laid upon any such additional lands required by that company with the tracks included within the joint section. Provided however that if the party who shall have so declined to have said extensions, construction, facilities or betterments constructed, provided or made on joint account shall afterwards at any time during the continuance of this agreement desire to have the joint use of such extensions, constructions, facilities and betterments or any part thereof, such party shall have the right thereafter to the joint use of the same accordingly upon such terms, if the parties cannot agree, as shall be fixed by arbitration as hereinafter provided; whereupon such extensions, constructions, facilities and betterments shall be covered by such agreement between the parties or by arbitration as aforesaid and become part of the joint section and be governed in all respects by the terms of these presents so far as the same shall be applicable thereto. Provided that nothing in this paragraph contained shall entitle the Grand Trunk to construct any buildings or other structures, or to make, provide or furnish any additional facilities or betterments upon the joint section without the consent of the Commission. Provided further, however, that should the Grand Trunk at any time request the Commission to extend any passing track already constructed, or to have additional passing tracks constructed on the lands of the Commission, which the Commission shall not be willing to make or construct on joint account, the Grand Trunk shall be entitled to have such question determined by arbitrators appointed as hereinafter provided, and in case the arbitrators shall determine that any such extension or additional passing track is required the same shall be made or constructed by the Commission and the cost thereof shall be charged to

Right of G.T.R. to connect tracks.

Subsequent inclusion in joint account.

G.T.R. no right to build on Commission's land.

Passing tracks.

capital account or otherwise and the cost of maintenance and operation be borne in such manner as shall be proper under the provisions hereof, due regard being had to the decision of said arbitrators.

Car mileage and per diem charges.

28. The Grand Trunk shall pay all mileage allowances or charges at the usual and customary rates for all cars owned by the Commission hauled by the Grand Trunk in its trains over portion (2) of the joint section and shall also be liable for and pay directly to the parties or Companies (other than the Commission) entitled thereto all per diem or mileage allowances or other compensation at the usual and customary rates for the services or detention of all cars of such other parties or Companies hauled by the Grand Trunk in its trains on the joint section. Cars will be considered as delivered by the Grand Trunk to the Commission on portion (2) of the joint section when set out of trains for unloading ,and shall be considered as returned to the Grand Trunk when reported to the proper officer in charge of car movement on the joint section as ready for movement by the Grand Trunk at the same point. The Commission shall not pay or be liable for any mileage per diem charge or other compensation for the services or detention on portion (1) of the joint section of any engines or cars arriving at or leaving said portion (1) of the joint section in the trains of the Grand Trunk and not intended for delivery to the Commission but the Grand Trunk shall pay and be liable for and hereby covenants to indemnify the Commission against any claim or claims for any mileage per diem charge or other compensation for the services or detention of such engines or cars. Provided however that in the case of cars to be delivered by the Grand Trunk to the Commission, the Commission shall assume such mileage per diem charge or other compensation from the time that the same are delivered on portion (1) of the joint section, and in case of cars to be delivered by the Commission to the Grand Trunk, the Grand Trunk shall assume such mileage per diem charge or other compensation from the time same are delivered on portion (1) of the joint section.

What constitutes delivery of cars.

American Railway Association Code of Car Service Rules shall govern as to what constitutes delivery of a car.

The Commission shall assume all per diem or mileage charges or other compensation payable upon cars engaged in revenue switching movements.

Revenue switching.

29. The Commission shall upon the request of the Grand Trunk do with all reasonable despatch all ordinary running repairs required upon the engines and rolling stock of the Grand Trunk used upon the joint section, charging therefor actual cost of materials used and labor performed in making such repairs plus ten per cent of the cost of such material

Commission to do repairs for G.T.R.

and labor. Provided that the Grand Trunk may supply its own material if it so desires.

Coal and water for G.T.R. engines.

30. If so requested by the Grand Trunk the Commission shall, subject to the limitations of its facilities, furnish daily to the engines of the Grand Trunk such amount of coal as may be necessary for such engines and the Commission shall charge and the Grand Trunk shall pay for such coal so supplied the cost price thereof to the Commission at the point of delivery to the Grand Trunk plus ten cents per ton additional. The Commission shall further furnish daily to the engines of the Grand Trunk such water as may be necessary for such engines, the expense of the supply of water to both parties to be reckoned as part of the working expenses and to be charged and payable accordingly.

Statement of supplies.

31. The Commission shall keep or have kept a statement of all supplies, coal, sand, oil, waste, tallow, etc., furnished to the Grand Trunk for its engines and cars and the Grand Trunk shall be charged the actual cost of all supplies, etc., so furnished. The term "Cost" used in this paragraph shall mean the current market price in Canada for the month in which they are furnished as shown by the invoice of such supplies plus ten per cent. to cover handling, supervision, inspection, accounting, freight charges and other incidental expenses. Provided that should the Grand Trunk desire to provide or furnish its own coal, supplies, sand, oil, waste, tallow, etc., it may do so, in which event it will be charged only the cost of handling the same. For the purpose of accounting between the Commission and the Grand Trunk the cost of transportation over the joint section by either party of fuel and supplies of all kinds for the use of the other shall, until otherwise agreed, be settled on the basis of five mills per ton per mile.

Use of engine stalls.

32. The Grand Trunk shall at all times have the right to the use for its locomotives of such stalls in the engine houses of the Commission as the number of engines actually engaged in the service of the Grand Trunk on the joint section may entitle that Company to use with the like accommodation and facilities in all respects as may be provided by the Commission for its own engines, the understanding being that the stalls in the engine houses of the Commission shall be allotted and be available for the use of each party in proportion to the number of engines actually engaged in the service of each party upon the joint section. It is also understood that the engines of the Grand Trunk shall while in the engine house be turned, cleaned and fitted for the road and that engine despatch shall include so far as required cleaning below running board, turning and housing and labour of coaling and watering, but that cleaning of engines above running board, supplies required for cleaning engines,

repairs and all supplies required for repairs and all stores, small or large, that may be required, shall be paid for at cost, which shall include cost of handling.

Car cleaning.

33. The Commission shall, if requested so to do by the Grand Trunk, clean the passenger cars used in the business and traffic of the Grand Trunk upon the joint section and heat and supply them with water, ice, fuel, oil, waste and small stores, and the Company shall pay to the Commission the cost to the Commission of the material, labour and stores so furnished. The term "Cost" used in this paragraph shall mean the current market price in Canada for the month in which they are furnished as shown by the invoice of such supplies and stores, plus ten per cent. to cover handling, supervision, inspection, accounting, freight charges and other incidental expenses. The charge for labour shall be that actually paid by the Commission. Provided that the Grand Trunk may at any point or points on the joint section, or at any time or times, perform the whole or any part of the above service, with its own employees, without being liable to any charge therefor by the Commission.

Switch engine crews.

34. The Commission shall provide the switch engines and crews required to perform switching service in the North Bay and Englehart yards and for making up all trains and shall be entitled to charge to working expenses a reasonable sum per month for the use of such switch engine which sum shall be exclusive of fuel and supplies required for such engine and of the proper wages of the crew, which shall be included in the working expenses of portion (1) of the joint section as provided in paragraph 11 (f). It is understood and agreed that the Grand Trunk may at its option and upon the same terms from time to time provide such engines and crews to an extent sufficient to equalize the service furnished by the Commission. Such reasonable sum shall be fixed from time to time by the parties or in case of failure to agree shall be determined by arbitration as hereinafter provided.

Commission to have the right to give running rights to other railways.

35. Notwithstanding anything contained in these presents the Commission shall have the right at any time and from time to time during the continuance of this agreement, to grant to any other Railway Company or Companies any right of use or otherwise with respect to the joint section or any part or parts thereof. Provided always that the same shall not impair the facilities hereby agreed to be furnished to the Grand Trunk or prevent the Grand Trunk from enjoying the use of the joint section or from operating trains over the same and every part thereof as herein contemplated. And provided further that no such right shall be granted to any other Company on more favourable terms than those hereby secured to the Grand Trunk. And it is agreed

that in case the Commission shall grant any such right to any other Railway Company or Companies the Grand Trunk shall be entitled to the benefit of and credit for one-half of all rentals or other consideration in the nature of rentals received from any such other Railway Company or Companies for such rights and the proportion of working expenses payable by the Grand Trunk under paragraphs 12, 13 and 14 hereof, shall thereupon be reduced proportionately.

Revenue from other railways to be apportioned.

36. All receipts and revenues for facilities afforded or for services rendered to any party other then the parties hereto or to any other Railway Company or Companies as in the preceding paragraph provided upon or in connection with the joint section shall enure to the benefit of the parties hereto in equal shares. The statements to be rendered monthly by the Commission to the Grand Trunk under paragraph 12 hereof shall showin detail such receipts and revenues and also any rentals or other consideration in the nature of rentals received from any other Railway Company.

Advertising.

37. Equal facilities shall be afforded upon the joint section to each of the parties for advertising their respective business and that of their connections.

Telegraph business.

38. The Commission having heretofore entered into an agreement with the Canadian Pacific Telegraph Company in respect of commercial business, which agreement expires 1st August, 1915, it is agreed that in the meantime the Grand Trunk shall have the right to use the poles and cross arms of the Commission for stringing telegraph wires, not exceeding six in number, subject to the payment to the Commission therefor of a sum to be agreed upon by the parties hereto or in the event of their failure to agree to be determined by arbitration as hereinafter provided. Provided that such wires shall be used exclusively for the railroad business of the Grand Trunk and Grand Trunk Pacific and shall not be used directly or indirectly for commercial business. It is declared to be the intention of the parties to enter into a new contract with reference to telegraph service after the expiry of the present agreement of the Commission with the Canadian Pacific Telegraph Company, but failimg the making of such new agreement it is declared that the right hereby reserved to the Grand Trunk to string its wires on the poles and cross arms of the Commission shall continue during the continuance of this agreement or until another agreement in the premises is entered into between the parties.

Wrecks.

39. In case of any wrecks of Grand Trunk trains, engines or cars on the joint section during the continuance of this agreement the necessary clearing of the track shall be done by the Commission through its wrecking crew and appliances, and save where under the terms of these presents the

Commission shall be bound to bear the loss incident to any such wreck, the actual cost thereof shall be payable by the Grand Trunk to the Commission.

Payment to be made on statement as rendered subject to subsequent adjustment.

40. All moneys other than the compensation aforesaid, payable by the Grand Trunk to the Commission hereunder, including proportion of freight and passenger earnings for local traffic of the Commission as hereinbefore described, the proportion of all working expenses payable by the Grand Trunk as aforesaid, the cost of all services and supplies as aforesaid for the use of telegraph poles and cross arms as aforesaid and the cost of clearing wrecks as aforesaid shall be payable by the Grand Trunk to the Commission at the office of the Commission in Toronto in gold or its equivalent as aforesaid monthly within sixty days after the delivery of statements thereof as aforesaid. The amount shown as payable by the statement so rendered shall be so paid leaving all mistakes, errors and omissions for subsequent adjustment. In reference to all payments to be made by the Grand Trunk to the Commission hereunder for compensation or otherwise time is declared to be of the essence of this agreement; and in case the Grand Trunk shall fail to make any payment or payments herein stipulated to be made when and where same shall become due and payable within sixty days after demand in writing requiring payment of the same shall have been made by the Commission to the Grand Trunk, then and in that case this agreement shall at the option of the Commission cease and be null and void, and the Commission may at once and without notice exclude and remove the trains, engines and other property of the Grand Trunk from the joint section and from every part thereof. Provided however that this clause shall not be construed as preventing either party from recovering from the other any moneys payable by the one to the other under the terms hereof.

Legislation to extend time to 25 years.

41. It is agreed that subject to the Grand Trunk procuring within three years from the date hereof the necessary legislation authorizing the same (to which legislation the Commission hereby assents) the grant of rights and privileges hereby made shall be for the term of twenty-five years (instead of twenty-one years) from the day on which the Grand Trunk begins to use the joint section, with the option to the Grand Trunk on its giving to the Commission not less than one year's notice in writing of its desire to secure the same, of the renewal of such rights and privileges for a further period of twenty-five years on the terms and conditions set out in these presents; Provided that the compensation in respect of such additional term of twenty-five years shall be such compensation as shall be agreed upon between the parties, or in case of their failure to agree,

Option to renewal for 25 years more.

as shall be fixed by arbitration as hereinafter provided. And it is expressly agreed that such arbitration may take place at any time after the expiration of the first twenty-four years of the original term. In case such legislation shall be procured by the Grand Trunk within said period of three years from the date hereof this agreement shall thereupon be read and construed as if the said grant and privilege had been made for said period of twenty-five years instead of for the period of twenty-one years with the option for renewal for another period of twenty-five years as aforesaid.

Commission covenants for quiet enjoyment.

42. The Commission hereby covenants with the Grand Trunk that the Grand Trunk making the payments herein agreed to be made and performing, observing and fulfilling the covenants and the terms and conditions herein contained and on the part of the Grand Trunk to be performed, observed and fulfilled, shall from time to time and at all times hereafter during the term of this agreement have and enjoy the joint use equally with the Commission of the joint section and of all the other rights and privileges therein and with respect thereto granted and provided for by this agreement according to the terms and conditions herein contained without interruption or interference by the Commission or any other party or parties whomsoever lawfully claiming under the Commission.

Mode of giving notices.

43. In case of any notice to be given to or bythe Commission hereunder or in case of any demand to be made by or on behalf or upon the Commission hereunder the same except where any other mode shall be indicated by the context shall be deemed to have been duly given or received when given or received in writing by either the Chairman or Secretary of the Commission for the time being, and in case of any consent required to be given by the Commission the same shall unless otherwise required by the context be given by the Chairman for the time being of the Commission and shall for all purposes be binding upon the Commission; and in case of any notice to be given to or by the Grand Trunk hereunder or in case of any demand to be made by or on behalf of or upon the Grand Trunk hereunder, the same, except where any other mode may be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the President or Senior Vice-President of the Grand Trunk for the time being, and in the case of any consent required to be given by the Grand Trunk the same shall, unless where otherwise required by the context, be given by the President or Senior Vice-President for the time being of the Grand Trunk and shall for all purposes be binding upon the Grand Trunk.

Matters not provided for.

44. Should it be found in practice that cases and events which may arise or happen have not been provided for in this agreement or that any right or interest of either party has not been fully protected thereby in accordance with its object and intent, it is agreed that in any such case or event the parties will consult together with a view to negotiating with fairness and candor new or other clauses to meet the same and to do justice and equity between the parties in respect thereof.

Differences to be referred to arbitration.

45. Any difference that may at any time arise under this agreement or respecting the carrying out of the same according to its true intent and meaning shall if it cannot be amicably adjusted by the parties from time to time as the same may arise be by either party submitted to arbitration in the following manner: each of the parties hereto shall appoint as an arbitrator or referee a disinterested person skilled in railway matters, but should either party fail to appoint such arbitrator or referee within ten days after the receipt of written notice of the appointment by the other of its arbitrator or referee, then the arbitrator or referee first appointed may select another arbitrator or referee. The two so appointed shall select a third arbitrator or referee and their award or the award of the majority of them made after due notice to both parties of the time and place of hearing the matter referred and after affording full opportunity to the parties to be heard and to adduce evidence, shall be final and binding on both parties and they expressly agree to abide thereby. And it is further agreed that in case the two arbitrators or referees first appointed shall fail to appoint a third within ten days after the appointment of the one last appointed, then a third arbitrator or referee may be appointed by a Judge of the High Court of Justice for Ontario on the application of either party after ten days' notice to the other party. In case of the death or refusal to act of any arbitrator or referee or if for any cause the office of any arbitrator or referee becomes vacant, his successor shall be appointed in the same manner as is provided for the appointment in the first instance unless the parties otherwise agree.

Pending settlement business proceeds.

46 .Pending the settlement of the matter or matters submitted for arbitration each party shall continue to carry on its business in the regular manner and the standing of either party towards the other shall be in no way affected by the matter in controversy.

Agreement 27th March, 1909, cancelled.

47. This agreement is intended to supersede the agreement between the parties with reference to said portion (1) of the joint section, dated the twenty-seventh day of March A.D. 1909, and upon the due execution of these presents

said agreement of the twenty-seventh day of March 1909 shall be deemed to be cancelled.

As witness the respective corporate seals of the said parties under the hands of their respective proper officers in that behalf.

THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

By CHARLES M. HAYS, [*Seal*]
President.

TEMISKAMING AND NORTHERN ONTARIO RY. COM'N.

J. L. ENGLEHART, [*Seal*]
Chairman.

A. J. MCGEE,
Sec'y.-Treasurer.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL X.

An Act to incorporate The Canadian Public Health Association.

Preamble.

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

Incorporation.

1. Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., Sir James A. Grant, K.C.M.G., M.D., the Honourable Clifford Sifton, F. Montizambert, I.S.O., M.D., J. G. Rutherford, C.M.G., H.A. R.C.V.S., Charles H. Higgins, D.V.S., and Peter H. Bryce, M.A., M.D., all of the city of Ottawa, in the province of Ontario; G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., John W. S. McCullough, M.D., Helen MacMurchy, M.D., A. J. Harrington, M.D., T. Aird Murray, C. E., and A. E. Webster, M.D., D.D.S., all of the city of Toronto, in the province of Ontario; L. Laberge, M.D., Sir William C. Van Horne, K.C.M.G., E. P. Lachapelle, M.D., W. D. Lighthall, K.C., Ethel Hurlbatt, M.A., T. A. Starkey, M.D., Mrs. N. C. Smillie, J. E. Laberge, M.D., C. V. Valin, M.D., and Mrs. Grace Ritchie England, M.D., all of the city of Montreal, in the province of Quebec; J. D. Page, M.D., of the city of Quebec, in the province of Quebec; G. Macdonald M.D., C.M., of the city of Calgary, and T. H. Whitelaw, B.A., M.B., of the city of Edmonton, in the province of Alberta; R. M. Simpson, M.D., P. B. Tustin, M.R.S.I., and A. J. Douglas, M.D., all of the city of Winnipeg, in the province of Manitoba; W. J. McKay, M.D., of the city of Saskatoon, and Maurice Macdonald Seymour, M.D., of the

city of Regina, in the province of Saskatchewan; James Warburton, M.D., and Harry J. Johnson, M.D., both of the city of Charlottetown, in the province of Prince Edward Island; the Honourable G. W. Murray, of the city of Halifax, and Smith L. Walker, M.D., of the town of Truro in the province of Nova Scotia; E. O. Steeves, M.D., of the town of Moncton, and George G. Melvin, M.D., of the city of St. John, in the province of New Brunswick; W. T. Connell, M.D., of the city of Kingston, in the province of Ontario; and C. J. Fagan, M.D., of the city of Victoria, in the province of British Columbia, together with such other persons as hereafter become members of the Association, are hereby incorporated under the name of "The Canadian Public Health Association," herinafter called "The Association."

Corporate name.

Head office.

2. The head office of the Association shall be in the city of Ottawa.

Objects.

3. The objects of the Association shall be the development and diffusion of the knowledge of sanitation in all its branches, and all other matters and things appertaining thereto, or connected therewith.

Members.

4. The membership in the Association shall be divided into three classes, as follows:

(*a*) Active members, who shall comprise the persons named in section 1 of this Act, and all others who are from time to time admitted to active membership under the provisions of the by-laws of the Association;

(*b*) Associate members;

(*c*) Honorary members.

By-laws.

5. The Association, at its first general meeting and thereafter at any annual or special general meeting, may make rules, regulations and by-laws for the following purposes:

(1) The defining and regulating of the terms upon which persons may be admitted to active membership, associate membership, or honorary membership in the Association; the determining of the respective rights and privileges of the different classes of members; the fees, subscriptions and dues to be imposed on the different classes of members;

(2) The constitution, powers, duties, quorum, term of office and method of election of the executive council and the executive committee; and the numbers, powers and duties of the officers of the Association;

(3) The time and place for holding the annual general meeting of the Association, which may be held at any place within the Dominion of Canada; and the notice to be given of the annual general meeting;

(4) The calling of meetings, regular and special, of the Association, of the executive council and of the executive committee, the notice to be given, the quorum, and the procedure in all things at any of such meetings;

(5) The administration and management of the affairs of the Association; and for this or any other purpose authorized by this Act, the Association may by by-law delegate any of its powers to the executive council, or the executive committee.

First general meeting.

6. The first general meeting of the Association shall be held, within one year after the passing of this Act, at the city of Ottawa, or at such other place in Canada as is designated by the first executive committee.

Executive council.

7. At the first general meeting of the Association, and at each subsequent annual general meeting, the Association shall elect an executive council.

Executive committee.

8. The executive council shall elect in the manner provided by the by-laws from time to time in force an executive committee.

First executive committee.

(2) Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., and L. Laberge, M.D., shall be the first executive committee of the Association, and until the first general meeting of the Association may exercise, on behalf of the Association, all the powers conferred by this Act on the Association.

Holding of real property.

9. The Association may acquire, hold and dispose of such real property as is necessary to carry out its objects, provided that the total value of such real property held at any time for the actual use of the Association shall not exceed two hundred and fifty thousand dollars.

Power to to receive grants, &c.

10. The Association may receive gifts of real property, grants of money, or subsidies in any form whatsoever, from the government of Canada, the government of any province of Canada, any municipality or any person; and shall apply the same in accordance with the conditions of the gift, grant or subsidy, or, if there be no such condition, in accordance with the objects set forth in section 3 of this Act.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

X

An Act to incorporate The Canadian Public Health Association.

Received and read a first time

Wednesday, 14th February, 1912.

Second reading

Friday, 16th February, 1912.

Honourable Mr. DE VEBER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X.

AS PASSED BY THE SENATE 7th MARCH, 1912.

An Act to incorporate The Canadian Public Health Association.

WHEREAS Duncan MacKenzie Anderson, M.D., and Lester McDonnell Coulter, M.D., publishers of *The Public Health Journal*, and Charles J. C. O. Hastings, M.D., Andrew Jerome Harrington, M.D., and T. Aird Murray, C.E., were incorporated by Letters Patent, issued by the province of Ontario, as "The Canadian Public Health Association," and whereas it is expedient to extend the objects of the said association by incorporating a new association with the same name but with more extensive objects to be exercised throughout the Dominion of Canada; and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., Sir James A. Grant, K.C.M.G., M.D., the Honourable Clifford Sifton, F. Montizambert, I.S.O., M.D., J. G. Rutherford, C.M.G., H.A. R.C.V.S., Charles H. Higgins, D.V.S., and Peter H. Bryce, M.A., M.D., all of the city of Ottawa, in the province of Ontario; G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., Duncan MacKenzie Anderson, M.D., Lester McDonnell Coulter, M.D., John W. S. McCullough, M.D., Helen MacMurchy, M.D., A. J. Harrington, M.D., T. Aird Murray, C.E., and A. E. Webster, M.D., D.D.S., all of the city of Toronto, in the province of Ontario; L. Laberge, M. Incorporation.

D., Sir William C. Van Horne, K.C.M.G., E. P. Lachapelle, M.D., W. D. Lighthall, K.C., Ethel Hurlbatt, M.A., T. A. Starkey, M.D., Mrs. N. C. Smillie, J. E. Laberge, M.D., C. V. Valin, M.D., and Mrs. Grace Ritchie England, M.D., all of the city of Montreal, in the province of Quebec; J. D. Page, M.D., of the city of Quebec, in the province of Quebec; G. Macdonald, M.D., C.M., of the city of Calgary, and T. H. Whitelaw, B.A., M.B., of the city of Edmonton, in the province of Alberta; R.M. Simpson, M.D., P. B. Tustin, M.R.S.I., and A. J. Douglas, M.D., all of the city of Winnipeg, in the province of Manitoba; W. J. McKay, M.D., of the city of Saskatoon, and Maurice Macdonald Seymour, M.D., of the city of Regina, in the province of Saskatchewan; James Warburton, M.D., and Harry J. Johnson, M.D., both of the city of Charlottetown, in the province of Prince Edward Island; the Honourable G. W. Murray, of the city of Halifax, and Smith L. Walker, M.D., of the town of Truro in the province of Nova Scotia; E. O. Steeves, M.D., of the town of Moncton, and George G. Melvin, M.D., of the city of St. John, in the province of New Brunswick; W. T. Connell, M.D., of the city of Kingston, in the province of Ontario; and C. J. Fagan, M.D., of the city of Victoria, in the province of British Columbia, together with such other persons as hereafter become members of the Association, are hereby incorporated under the name of "The Canadian Public Health Association," hereinafter called "The Association."

Corporate name.

Head office.

2. The head office of the Association shall be in the city of Ottawa.

Objects.

3. The objects of the Association shall be the development and diffusion throughout Canada of the knowledge of sanitation in all its branches, and all other matters and things appertaining thereto, or connected therewith.

Members.

4. The membership in the Association shall be divided into three classes, as follows:

(*a*) Active members, who shall comprise the persons named in section 1 of this Act, and all others who are from time to time admitted to active membership under the provisions of the by-laws of the Association;

(*b*) Associate members;

(*c*) Honorary members.

By-laws.

5. The Association, at its first general meeting and thereafter at any annual or special general meeting, may make rules, regulations and by-laws for the following purposes:

(1) The defining and regulating of the terms upon which persons may be admitted to active membership, associate membership, or honorary membership in the Association;

the determining of the respective rights and privileges of the different classes of members; the fees, subscriptions and dues to be imposed on the different classes of members;

(2) The constitution, powers, duties, quorum, term of office and method of election of the executive council and the executive committee; and the numbers, powers and duties of the officers of the Association;

(3) The time and place for holding the annual general meeting of the Association, which may be held at any place within the Dominion of Canada, and the notice to be given of the annual general meeting;

(4) The calling of meetings, regular and special, of the Association, of the executive council and of the executive committee, the notice to be given, the quorum, and the procedure in all things at any of such meetings;

(5) The administration and management of the affairs of the Association; and for this or any other purpose authorized by this Act, the Association may by by-law delegate any of its powers to the executive council, or the executive committee.

First general meeting.

6. The first general meeting of the Association shall be held, within one year after the passing of this Act, at the city of Ottawa, or at such other place in Canada as is designated by the first executive committee.

Executive council.

7. At the first general meeting of the Association, and at each subsequent annual general meeting, the Association shall elect an executive council.

Executive committee.

8. The executive council shall elect in the manner provided by the by-laws from time to time in force an executive committee.

First executive committee.

2. Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., and L. Laberge, M.D., shall be the first executive committee of the Association, and until the first general meeting of the Association may exercise, on behalf of the Association, all the powers conferred by this Act on the Association.

Holding of real property.

9. The Association may acquire, hold and dispose of such real property as is necessary to carry out its objects, provided that the total value of such real property held at any time for the actual use of the Association shall not exceed two hundred and fifty thousand dollars.

Power to to receive grants, &c.

10. The Association may receive gifts of real property, grants of money, or subsidies in any form whatsoever, from the government of Canada, the government of any prov-

ince of Canada, any municipality or any person; and shall apply the same in accordance with the conditions of the gift, grant or subsidy, or, if there be no such condition, in accordance with the objects set forth in section 3 of this Act.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Y.

An Act to require the use of under-water exhausts or mufflers on certain motor boats.

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

Operation of motor boats unlawful unless certain means of preventing noise are provided and effectively used.

1. It shall be unlawful to operate a boat propelled, wholly or partly, by gas, gasoline or naphtha, unless the boat is provided with an under-water exhaust or with a muffler, and such exhaust or muffler is so constructed and used as to muffle in a reasonable manner the noise of the explosion and to prevent such noise being a nuisance.

Penalty.

2. Every one who operates a boat in violation of the provisions of the preceding section is guilty of an offence and liable, on summary conviction to a fine not exceeding twenty-five dollars.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

Y

An Act to require the use of underwater exhausts or mufflers on certain motor boats.

Received and read a first time

Thursday, 15th February, 1912.

Second reading

Thursday, 22nd February, 1912.

Honourable Mr. Derbyshire.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Z.

An Act for the relief of Ethel May Stewart.

Preamble

WHEREAS Ethel May Stewart, presently residing in the township of Binbrook in the county of Wentworth, in the province of Ontario, wife of George Stewart, of the city of Hamilton, in the said province, has by her petition alleged, in effect, that they were lawfully married on the thirteenth day of November, A.D. 1904, at the said city of Hamilton, she then being Ethel May Martin, spinster; that the legal domicile of the said George Stewart was then and is now in Canada; that, at the city of Hamilton in the province of Ontario, on or about the thirty-first day of January, A.D., 1911, he committed adultery with one Leta Bond; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Ethel May Martin and George Stewart, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Ethel May Martin may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said George Stewart has not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

Z

An Act for the relief of Ethel May Stewart.

Received and read a first time,

Thursday, 22nd February, 1912.

Second reading,

Tuesday, 27th February, 1912.

Honourable Mr. Roche.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL A2.

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

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1900, c. 71; 1902, c. 88; 1904, c. 109; 1906, c. 137; 1908, c. 140; 1910, c. 140.

Extension of time for construction.

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

Repeal of former time limit.

2. Section 1 of chapter 140 of the statutes of 1910 is hereby repealed.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

A_2

An Act respecting The Ottawa, Brockville and St. Lawrence Railway Company.

Received and read a first time

Thursday, 22nd February, 1912.

Second reading

Tuesday, 27th February, 1912.

Honourable MR. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL A2.

AS PASSED BY THE SENATE 14th MARCH, 1912.

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

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1900, c. 71; 1902, c. 88; 1904, c. 109; 1906, c. 137; 1908, c. 140; 1910, c. 140.

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

2. Section 1 of chapter 140 of the statutes of 1910 is hereby repealed. Repeal of former time limit.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL B2.

An Act to incorporate The Montreal Transcontinental Railway Company.

Preamble.

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

Incorporation.

1. J. A. Vaillancourt, merchant, J. Emile Vanier, civil engineer, Trefflé Bastien, contractor, Edouard Gohier, real estate agent, George E. Drummond, merchant and manufacturer, Frederick L. Wanklyn, civil engineer, Nathaniel Curry, manufacturer, all of the city of Montreal, Sévère G. Laviolette, merchant, Félix Philias Vanier, M.D., Charles Elie Laflamme, merchant, Rodrigue Deschambault, banker, all of the town of St. Jérôme, in the province of Quebec, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Montreal Transcontinental Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

Call thereon.

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

Head office.

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

Annual meeting.

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

Directors.

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

Line of railway described.

7. The Company may lay out , construct and operate a railway of the gauge of four feet eight and one-half inches from a point in the city of Montreal, northerly or northwesterly, through the counties of Hochelaga, Maisonneuve, Laval, Terrebonne, Two Mountains, Argenteuil, Montcalm, Labelle, Wright or Pontiac,and to connect by the most direct possible route with the National Transcontinental Railway or the Grand Trunk Pacific Railway at or near Grand Lake Victoria, in the province of Quebec, or at any other more suitable point in the vicinity of Migiskan River, and thence to James Bay, at a point at or near Hannah Bay, in the province of Ontario.

Consent of municipalities.

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

Issue of securities.

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

Issue of securities for purposes other then railway.

10. In addition to the securities authorized by section 9 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limitation.

Vessels.

11. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of

wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Wharfs, docks, etc.

Warehousemen and wharfingers.

12. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of electric and other power.

R.S., c. 37.

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

Telegraphs and telephones.

R.S., c. 37.

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

Tolls and charges.

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

R.S, c. 126.

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

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

R.S., c. 126.

such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Agreements with other Companies.

15. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Quebec Railway Company, the Grand Trunk Pacific Railway Company, the National Transcontinental Railway.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

B2.

An Act to incorporate The Montreal Transcontinental Railway Company.

Received and read a first time

Friday, 23rd February, 1912.

Second reading

Wednesday, 28th February, 1912.

Honourable Mr. Béique.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL B2.

AS PASSED BY THE SENATE 7th MARCH, 1912.

An Act to incorporate The Montreal Transcontinental Railway Company.

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

1. J. A. Vaillancourt, merchant, J. Emile Vanier, civil engineer, Trefflé Bastien, contractor, Edouard Gohier, real estate agent, George E. Drummond, merchant and manufacturer, Frederick L. Wanklyn, civil engineer, Nathaniel Curry, manufacturer, all of the city of Montreal, Sévère G. Laviolette, merchant, Félix Philias Vanier, M.D., Charles Elie Laflamme, merchant, Rodrigue Deschambault, banker, all of the town of St. Jérôme, in the province of Quebec, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Montreal Transcontinental Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

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

Annual meeting.

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

Directors.

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

Line of railway described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in the city of Montreal, northerly or northwesterly, through the counties of Hochelaga, Maisonneuve, Laval, Terrebonne, Two Mountains, Argenteuil, Montcalm, Labelle, Wright or Pontiac, and to connect by the most direct possible route with the National Transcontinental Railway or the Grand Trunk Pacific Railway at or near Grand Lake Victoria, in the province of Quebec, or at any other more suitable point in the vicinity of Migiskan River, and thence to James Bay, at a point at or near Hannah Bay, in the province of Ontario.

Consent of municipalities.

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

Issue of securities.

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

Issue of securities for purposes other then railway.

10. In addition to the securities authorized by section 9 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limitation.

Vessels.

11. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of

wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Wharfs, docks, etc.

Warehousemen and wharfingers.

12. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of electric and other power.

R.S., c. 37.

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

Telegraphs and telephones.

R.S., c. 37.

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

Tolls and charges.

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

R.S, c. 126.

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

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

R.S., c. 126.

such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

15. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Quebec Railway Company, the Grand Trunk Pacific Railway Company, the National Transcontinental Railway.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL C2.

An Act respecting The British Canadian Loan and Investment Company (Limited).

Preamble. 1876, c. 57; 1877, c. 76; 1887, c. 110; 1906, c. 65.

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

1876, c. 57, new s. 5.

1. Section 5 of chapter 57 of the statutes of 1876 is hereby repealed and the following is substituted therefor:—

Powers as to real estate.

"**5.** The Company may purchase or otherwise acquire, sell, lease, mortgage, exchange, or otherwise dispose of real estate of any tenure and may deal with the same in any way calculated to enhance its value."

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

C2

An Act respecting The British Canadian Loan and Investment Company (Limited).

Received and read a first time,

Tuesday, 27th February, 1912.

Second reading,

Thursday 29th February, 1912.

Honourable Mr. Belcourt.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL D2.

An Act respecting The Alberta, Peace River and Eastern Railway Company.

Preamble
1910, c. 64.

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

Extension of time for construction.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

D[2.]

An Act respecting The Alberta, Peace River and Eastern Railway Company.

Received and read a first time,

Tuesday, 27th February, 1912.

Second reading,

Thursday, 29th February, 1912.

Honourable Mr. Davis.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL D2.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act respecting The Alberta, Peace River and Eastern Railway Company.

Preamble
1910, c. 64.

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

Extension of time for construction.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL E2.

An Act to incorporate The Ottawa and Lake McGregor Railway Company.

Preamble.

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

Incorporation.

1. Norman McKay Retallack, student, William Smellie Mackenzie, clerk, and Joseph Cleophas Coté, gentleman, all of the city of Ottawa, in the province of Ontario, Gerald Clément, of Angers, in the county of Wright and province of Quebec, cheesemaker, and Joseph A. Duquette, miner, of Perkin's Mills, in the province of Quebec, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The Ottawa and Lake McGregor Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

Calls.

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

Preference stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing

at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be at the city of Ottawa in the province of Ontario.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the third Tuesday in January.

Directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point at or near the city of Ottawa, in the county of Carleton, in the province of Ontario, to a point at or near the city of Hull, in the county of Wright in the province of Quebec, and thence to a point at or near the village of Gatineau Point, and thence to a point at or near the village of Perkin's Mills, and thence to a point at or near Lake McGregor, in the said county of Wright.

Consent of municipalities.

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

Vessels, &c.

10. The Company may, for the purposes of its undertaking,—

(*a*) construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property.

(*b*) acquire, hold, sell and lease lands, and build, maintain and conduct thereon, hotels, parks of amusement, summer and other residences, stores and other buildings and improvements. Lands, hotels, &c.

11. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges. Transmission and delivery of power and electricity.

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

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

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

13. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any Consent of municipalities for telegraph and telephone lines, &c., on highways. R.S., c. 126.

municipality, without the consent, expressed by by-law, of such municipality.

Issue of securities on railway.

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

Issue of securities for purposes other than the railway.

Limitation.

15. In addition to the securities authorized by section 14 of this Act, the directors if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock and other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Agreements with other companies.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

E2

An Act to incorporate The Ottawa and Lake McGregor Railway Company.

Received and read a first time

Tuesday, 27th February, 1912.

Second reading

Thursday, 29th February, 1912.

Honourable Mr. Belcourt.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL E2.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act to incorporate The Ottawa and Lake McGregor Railway Company.

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

1. Norman McKay Retallack, student, William Smellie Mackenzie, clerk, and Joseph Cleophas Coté, gentleman, all of the city of Ottawa, in the province of Ontario, Gerald Clément, of Angers, in the county of Wright and province of Quebec, cheesemaker, and Joseph A. Duquette, miner, of Perkin's Mills, in the province of Quebec, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The Ottawa and Lake McGregor Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock. Calls.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing Preference stock.

at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be at the city of Ottawa in the province of Ontario.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the third Tuesday in January.

Directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point at or near the city of Ottawa, in the county of Carleton, in the province of Ontario, to a point at or near the city of Hull, in the county of Wright in the province of Quebec, and thence to a point at or near the village of Gatineau Point, and thence to a point at or near the village of Perkin's Mills, and thence to a point at or near Lake McGregor, in the said county of Wright.

Consent of municipalities.

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

Vessels, &c.

10. The Company may, for the purposes of its undertaking,—

(*a*) construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property.

(*b*) acquire, hold, sell and lease lands, and build, maintain and conduct thereon, hotels, parks of amusement, summer and other residences, stores and other buildings and improvements. Lands, hotels, &c.

11. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges. Transmission and delivery of power and electricity.

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

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

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

13. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any Consent of municipalities for telegraph and telephone lines, &c., on highways. R.S., c. 126.

municipality, without the consent, expressed by by-law, of such municipality.

Issue of securities on railway.

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

Issue of securities for purposes other than the railway.

Limitation.

15. In addition to the securities authorized by section 14 of this Act, the directors if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock and other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Agreements with other companies.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL F2.

An Act respecting The Grand Trunk Railway Company of Canada.

Preamble.

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

Short title.

1. This Act may be cited as *The Grand Trunk Act*, 1912.

2. The expression "the Company," where used in this Act, means The Grand Trunk Railway Company of Canada.

Power as to securities of The Grand Trunk Western Ry. Co.

1901, c. 60.

3. The Company may from time to time acquire, hold, pledge, sell or otherwise dispose of bonds or debentures heretofore or hereafter issued by The Grand Trunk Western Railway Company, and for that purpose may utilize any funds of the Company, including proceeds arising from the sale of any class of stock which the Company is now, or may hereafter be, authorized to issue, and upon the acquisition of any such bonds or debentures may exercise all the powers of holders thereof and receive any dividend or interest paid thereon: Provided that the principal amount of such bonds or debentures at any time held by the Company shall not exceed the sum of thirty million dollars.

Limitation of amount to be held.

Powers to aid certain companies.

4. The directors of the Company may from time to time, as often as they deem expedient and in such manner and upon such terms as may be mutually agreed upon, aid or assist any company, now or hereafter incorporated,

of which the capital stock issued and outstanding, or a controlling amount thereof, is or may at any time be held by or in the name of, or for the benefit of, the Company or The Grand Trunk Pacific Railway Company respectively, and for that purpose may perform services for, make advances to, guarantee, acquire, hold, pledge, sell or otherwise dispose of bonds, debentures, debenture stock or other securities of any such company.

Authority to issue additional perpetual consolidated debenture stock.

1897, c. 42
1909, c. 87.
1911, c. 81.

Interest.

Limitation of account.

5. In addition to the amounts authorized by *The Grand Trunk Act*, 1897, and the several Acts referred to in section 5 of that Act, and by *The Grand Trunk Act*, 1909, and by *The Grand Trunk Act*, 1911, the Company may, for the purposes herein specified, borrow, and raise by the creation and issue of perpetual consolidated debenture stock to be called Grand Trunk Consolidated Debenture Stock, bearing interest at a rate not exceeding four per cent per annum, such sum as the proprietors of the Company entitled to vote, in general meeting assembled, shall from time to time determine: Provided always, that the aggregate amount of the annual interest on such debenture stock to be issued under this Act shall not exceed two hundred and fifty thousand pounds sterling.

Ranking and conditions.

6. The debenture stock by this Act authorized shall rank equally and be consolidated with the debenture stock issued or to be issued as Grand Trunk Consolidated Debenture Stock under any Act now in force respecting the Company, and shall be subject to all conditions and provisions applicable thereto respecting the manner, time and place of payment of interest thereon, and the voting power of the holders thereof.

Application of proceeds of stock.

7. So much of the said stock, or of the proceeds thereof, as the directors of the Company shall from time to time determine may be used or applied by the Directors in the exercise of and for the purpose of carrying out any of the powers by this Act conferred upon the Company and any portion not so used may be applied to the general purposes of the Company.

1888, c. 58, s. 6 to apply.

8. Any shares, bonds, debentures or other securities acquired with the consolidated debenture stock created and issued under the authority of this Act, or the proceeds thereof, shall be held as subsisting and continuing as a security for the purposes of and upon the terms mentioned in section 6 of *The Grand Trunk Railway Act*, 1888.

Commencement of Act.

9. The several provisions of this Act shall only take effect upon being assented to and accepted by a majority

of the votes of the persons present or represented by proxy and entitled to vote at a general meeting of the Company held after due notice of the intention to submit the same to such meeting has been given.

Certificate of chairman.

2. The certificate in writing of the chairman of such meeting of the acceptance of all or of such of the provisions of this Act as shall have been assented to and accepted, as the case may be, shall be filed in the office of the Secretary of State of Canada, and notice of such filing shall be published by the Company in *The Canada Gazette*.

Evidence.

3. Copies of such certificate, certified by the Secretary of State, of Canada, shall be taken and accepted in all courts of law as sufficient evidence of such acceptance.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

F2.

An Act respecting The Grand Trunk Railway Company of Canada.

Received and read first and second times

Tuesday, 27th February, 1912.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL F2.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act respecting The Grand Trunk Railway Company of Canada.

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

1. This Act may be cited as *The Grand Trunk Act*, 1912. Short title.

2. The expression "the Company," where used in this Act, means The Grand Trunk Railway Company of Canada.

3. The Company may from time to time acquire, hold, pledge, sell or otherwise dispose of bonds or debentures heretofore or hereafter issued by The Grand Trunk Western Railway Company, and for that purpose may utilize any funds of the Company, including proceeds arising from the sale of any class of stock which the Company is now, or may hereafter be, authorized to issue, and upon the acquisition of any such bonds or debentures may exercise all the powers of holders thereof and receive any dividend or interest paid thereon: Provided that the principal amount of such bonds or debentures at any time held by the Company shall not exceed the sum of thirty million dollars. Power as to securities of The Grand Trunk Western Ry. Co. 1901, c. 60. Limitation of amount to be held.

4. The directors of the Company may from time to time, as often as they deem expedient and in such manner and upon such terms as may be mutually agreed upon, aid or assist any company, now or hereafter incorporated, Powers to aid certain companies.

of which the capital stock issued and outstanding, or a controlling amount thereof, is or may at any time be held by or in the name of, or for the benefit of, the Company or The Grand Trunk Pacific Railway Company respectively, and for that purpose may perform services for, make advances to, guarantee, acquire, hold, pledge, sell or otherwise dispose of bonds, debentures, debenture stock or other securities of any such company.

Authority to issue additional perpetual consolidated debenture stock.

1897, c. 42
1909, c. 87.
1911, c. 81.

Interest.

Limitation of account.

5. In addition to the amounts authorized by *The Grand Trunk Act*, 1897, and the several Acts referred to in section 5 of that Act, and by *The Grand Trunk Act*, 1909, and by *The Grand Trunk Act*, 1911, the Company may, for the purposes herein specified, borrow, and raise by the creation and issue of perpetual consolidated debenture stock to be called Grand Trunk Consolidated Debenture Stock, bearing interest at a rate not exceeding four per cent per annum, such sum as the proprietors of the Company entitled to vote, in general meeting assembled, shall from time to time determine: Provided always, that the aggregate amount of the annual interest on such debenture stock to be issued under this Act shall not exceed two hundred and fifty thousand pounds sterling.

Ranking and conditions.

6. The debenture stock by this Act authorized shall rank equally and be consolidated with the debenture stock issued or to be issued as Grand Trunk Consolidated Debenture Stock under any Act now in force respecting the Company, and shall be subject to all conditions and provisions applicable thereto respecting the manner, time and place of payment of interest thereon, and the voting power of the holders thereof.

Application of proceeds of stock.

7. So much of the said stock, or of the proceeds thereof, as the directors of the Company shall from time to time determine may be used or applied by the Directors in the exercise of and for the purpose of carrying out any of the powers by this Act conferred upon the Company and any portion not so used may be applied to the general purposes of the Company.

1888, c. 58, s. 6 to apply.

8. Any shares, bonds, debentures or other securities acquired with the consolidated debenture stock created and issued under the authority of this Act, or the proceeds thereof, shall be held as subsisting and continuing as a security for the purposes of and upon the terms mentioned in section 6 of *The Grand Trunk Railway Act*, 1888.

Commencement of Act.

9. The several provisions of this Act shall only take effect upon being assented to and accepted by a majority

of the votes of the persons present or represented by proxy and entitled to vote at a general meeting of the Company held after due notice of the intention to submit the same to such meeting has been given.

Certificate of chairman.

2. The certificate in writing of the chairman of such meeting of the acceptance of all or of such of the provisions of this Act as shall have been assented to and accepted, as the case may be, shall be filed in the office of the Secretary of State of Canada, and notice of such filing shall be published by the Company in *The Canada Gazette*.

Evidence.

3. Copies of such certificate, certified by the Secretary of State, of Canada, shall be taken and accepted in all courts of law as sufficient evidence of such acceptance.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL G2.

An Act for the relief of William Holloway Adams.

Preamble.

WHEREAS William Holloway Adams, of the City of Edmonton, in the province of Alberta, has by his petition alleged, in effect, that on the eighteenth day of September, A.D. 1900, in the parish of Cheltenham, in the county of Gloucester, in England, he was lawfully married to Clara Emily Bebê Woodward, a spinster; that his legal domicile was then in England and is now in Canada; that at Strathcona, in the province of Alberta, from about the month of August, 1908, until the thirty-first day of March, 1910, on divers occasions, and particularly upon the thirty-first day of March, 1910, she committed adultery with one George Lucas; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between William Holloway Adams and Clara Emily Bebê Woodward, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said William Holloway Adams may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Clara Emily Babê Woodward had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

G2.

An Act for the relief of William Holloway Adams.

Received and read a first time

Tuesday, 27th February, 1912.

Second reading

Thursday, 29th February, 1912.

Honourable MR. TALBOT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL G2.

AS PASSED BY THE SENATE 1st MARCH, 1912.

An Act for the relief of William Holloway Adams.

Preamble. WHEREAS William Holloway Adams, of the City of Edmonton, in the province of Alberta, has by his petition alleged, in effect, that on the eighteenth day of September, A.D. 1900, in the parish of Cheltenham, in the county of Gloucester, in England, he was lawfully married to Clara Emily Bebê Woodward, a spinster; that his legal domicile was then in England and is now in Canada; that at Strathcona, in the province of Alberta, from about the month of August, 1908, until the thirty-first day of March, 1910, on divers occasions, and particularly upon the thirty-first day of March, 1910, she committed adultery with one George Lucas; that the said William Holloway Adams has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. **1.** The said marriage between William Holloway Adams and Clara Emily Bebê Woodward, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again. **2.** The said William Holloway Adams may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Clara Emily Bebê Woodward had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL H2.

An Act to incorporate The Guarantee Life Insurance Company of Canada.

Preamble.

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

Incorporation.

Corporate name.

1. Jesse O. McCarthy, insurance manager, James McLanaghen, gentleman, William B. Unsworth, accountant, William C. Gall, lumber merchant, and George F. Scott, gentleman, all of the city of Toronto, together with such other persons as become shareholders in the Company are hereby incorporated under the name of "The Guarantee Life Insurance Company of Canada," hereinafter called "the Company."

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars.

Subscription of stock before general meeting.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars.

Subscription of stock before commencing business.

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

Head office.

6. The head office of the Company shall be in the city of Toronto in the province of Ontario.

Business of company.

7. The Company may make contracts of insurance contingent upon the lives of persons.

1910, c. 32.

8. *The Insurance Act, 1910,* shall apply to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

H2

An Act to incorporate The Guarantee Life Insurance Company of Canada.

Received and read a first time

Tuesday, 27th February, 1912.

Second reading

Thursday, 29th February, 1912.

HONOURABLE MR. FARRELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL H2.

AS PASSED BY THE SENATE 18th MARCH, 1912.

An Act to incorporate The Guarantee Life Insurance Company of Canada.

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

1. Jesse O. McCarthy, insurance manager, James McLanaghen, gentleman, William B. Unsworth, accountant, William C. Gall, lumber merchant, and George F. Scott, gentleman, all of the city of Toronto, together with such other persons as become shareholders in the Company are hereby incorporated under the name of "The Guarantee Life Insurance Company of Canada," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be five hundred thousand dollars. Capital stock.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars. Subscription of stock before general meeting.

5. The Company shall not commence business until one hundred and fifty thousand dollars of the capital stock have been subscribed and one hundred thousand dollars paid thereon. Subscription of stock before commencing business.

Head office.

6. The head office of the Company shall be in the city of Toronto in the province of Ontario.

Business of company.

7. The Company may make contracts of life insurance with any person, and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and may generally carry on the business of life insurance in all its branches and forms.

Application of 1910, c. 32.

8. *The Insurance Act, 1910,* shall apply to the Company, except sub-section (6) of section 145 thereof, for which is hereby substituted the following: "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 and second instalments shall not exceed in the aggregate fifty per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days notice of any call shall be given."

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I2.

An Act respecting The British Columbia and Dawson Railway Company.

Preamble.

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

1911, c. 44.

Branch lines authorized.

1. The British Columbia and Dawson Railway Company may lay out, construct and operate the following branch lines of railway:—

Fort George to main line at Telegraph Creek.

(*a*) From Fort George in a northerly direction to the valley of the Parsnip River by way of Fort McLeod, thence along the Parsnip River to its junction with the Peace River, thence, crossing the Peace River, along the valley of the Finlay River through Sifton Pass to the Stikine River, thence down the Stikine River to a junction with its main line at Telegraph Creek;

From above branch to eastern boundary of British Columbia.

(*b*) From a point on the branch line described in paragraph (*a*) of this section, by way of the Pine River pass or the Peace River pass, or by the most feasible route, to the eastern boundary of British Columbia;

Vancouver to Lillooet.

(*c*) From the city of Vancouver, by the most feasible route, to a point on the main line at or near Lillooet.

Issue of securities on branch lines.

2. The securities issued by the said company in respect of the branch lines authorized by section one of this Act shall not exceed fifty thousand dollars per mile thereof, and may be issued only in proportion to the length of

such branch lines constructed or under contract to be constructed.

Extension of time for construction.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

[2.

An Act respecting The British Columbia and Dawson Railway Company.

Received and read a first time,

Tuesday, 27th February, 1912.

Second reading,

Thursday, 29th February, 1912.

Honourable Mr. Bostock.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1911

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I2.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act respecting The British Columbia and Dawson Railway Company.

Preamble.

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

1911, c. 44.

Branch lines authorized.

1. The British Columbia and Dawson Railway Company may lay out, construct and operate the following branch lines of railway:—

Fort George to main line at Telegraph Creek.

(*a*) From Fort George in a northerly direction to the valley of the Parsnip River by way of Fort McLeod, thence along the Parsnip River to its junction with the Peace River, thence, crossing the Peace River, along the valley of the Finlay River through Sifton Pass to the Stikine River, thence down the Stikine River to a junction with its main line at Telegraph Creek;

From above branch to Peace River Landing.

(*b*) From a point on the branch line described in paragraph (*a*) of this section, by way of the Pine River pass or the Peace River pass, or by the most feasible route to a point at or near Peace River Landing in the province of Alberta;

Vancouver to Lillooet.

(*c*) From the city of Vancouver, by the most feasible route, to a point on the main line at or near Lillooet.

Issue of securities on branch lines.

2. The securities issued by the said company in respect of the branch lines authorized by section one of this Act shall not exceed fifty thousand dollars per mile thereof, and may be issued only in proportion to the length of

such branch lines constructed or under contract to be constructed.

Extension of time for construction.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL J2

An Act respecting The Vancouver, Fraser Valley and Southern Railway Company.

Preamble.

1906, c. 175.
1909, c. 145.

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

Extension of time for construction.

1. The Vancouver, Fraser Valley and Southern Railway Company, hereinafter called "the Company," may, within two years after the passing of this Act, commence to construct, and, within five years after the passing of this Act, complete and put in operation, the following lines of railway which it was authorized to construct by section 8 of chapter 175 of the statutes of 1906, namely:—

(*a*) from a point in or near the city of New Westminster in a southerly direction to a point on the international boundary line at or near the town of Douglas;

(*b*) from a point south of and near the Fraser river at or near the New Westminster bridge in an easterly direction up the Fraser Valley to a point at or near the town of Chilliwack;

(*c*) from a point south of and near the Fraser river in a westerly direction to a point at or near the town of Ladner's Landing on the Fraser river in the municipality of Delta.

2. If, within the said periods, respectively, any one of the said lines is not commenced or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of that line as then remains uncompleted.

Present time limit repealed.

2. Chapter 145 of the statutes of 1909 is hereby repealed.

Agreements with other companies.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with The Vancouver Power Company, Limited, and The British Columbia Electric Railway Company, Limited, or either of them.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

J 2.

An Act respecting The Vancouver, Fraser Valley and Southern Railway Company.

Received and read a first time

Tuesday, 27th February, 1912.

Second reading

Thursday, 29th February, 1912.

Honourable Mr. BOSTOCK.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL J2

BILL AS PASSED BY THE SENATE 8th MARCH, 1912

An Act respecting The Vancouver, Fraser Valley and Southern Railway Company.

Preamble.

1906, c. 175.
1909, c. 145.

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

Extension of time for construction.

1. The Vancouver, Fraser Valley and Southern Railway Company, hereinafter called "the Company," may, within two years after the passing of this Act, commence to construct, and, within five years after the passing of this Act, complete and put in operation, the following lines of railway which it was authorized to construct by section 8 of chapter 175 of the statutes of 1906, namely:—

(*a*) from a point in or near the city of New Westminster in a southerly direction to a point on the international boundary line at or near the town of Douglas;

(*b*) from a point south of and near the Fraser river at or near the New Westminster bridge in an easterly direction up the Fraser Valley to a point at or near the town of Chilliwack;

(*c*) from a point south of and near the Fraser river in a westerly direction to a point at or near the town of Ladner's Landing on the Fraser river in the municipality of Delta.

2. If, within the said periods, respectively, any one of the said lines is not commenced or is not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of that line as then remains uncompleted.

Present time limit repealed.

2. Chapter 145 of the statutes of 1909 is hereby repealed.

Agreements with other companies.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with The Vancouver Power Company, Limited, and The British Columbia Electric Railway Company, Limited, or either of them.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL K2.

An Act for the relief of Isobell Isaac.

Preamble.

WHEREAS Isobell Isaac, presently residing at the town of Gadsby, in the province of Ontario, wife of Francis John Isaac, of the city of Toronto, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the twenty-fourth day of October, A.D., 1894, at Shelburn, in the province of Ontario, she then being Isobell Keast, a spinster; that the legal domicile of the said Francis John Isaac was then and is now in Canada; that at the city of Toronto, in the province of Ontario, from about the year 1907, until the present time, the said Francis John Isaac has been living continuously in adultery with one Maude Bemmer, and is now so living at the city of Toronto; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Isobell Keast and Francis John Isaac, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Isobell Keast may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Francis John Isaac had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

K2.

An Act for the relief of Isobell Isaac.

Received and read a first time

Tuesday, 27th February, 1912.

Second reading

Tuesday, 5th March, 1912.

Honourable MR. TALBOT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL K2.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act for the relief of Isobell Isaac.

Preamble.

WHEREAS Isobell Isaac, presently residing at the town of Gadsby, in the province of Ontario, wife of Francis John Isaac, of the city of Toronto, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the twenty-fourth day of October, A.D., 1894, at Shelburn, in the province of Ontario, she then being Isobell Keast, a spinster; that the legal domicile of the said Francis John Isaac was then and is now in Canada; that at the city of Toronto, in the province of Ontario, from about the year 1907, until the present time, the said Francis John Isaac has been living continuously in adultery with one Maude Bemmer, and is now so living at the city of Toronto; that the said Isobell Isaac has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Isobell Keast and Francis John Isaac, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Isobell Keast may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Francis John Isaac had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL L2

An Act respecting Mexican Electric Traction Company, Limited, and to change its name to Mexican Interurban Electric Railway Company, Limited.

Preamble

WHEREAS Mexican Interurban Electric Traction Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, chapter 79 of *The Revised Statutes*, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Canada Gazette. January 20th, 1912.

Name changed.

1. The name of the said Company, hereinafter called "the Company," is changed to Mexican Interurban Electric Railway Company, Limited; but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Saving of rights.

Powers of Company in Mexico.

2. Subject to the laws in force in the United States of Mexico and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States of Mexico, survey, lay out, construct, complete, equip, maintain, and operate, and extend, remove, and change as re-

Railways.

quired, double or single iron or steel railways and branches, side tracks, turnouts, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate, for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition of properties of other companies.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its book the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the

full extent, or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

Particulars to be entered in register.

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share, or shares, included in the warrant;

(*c*) the date of the issue of the warrant;

and, until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required by sections 89 and 90 of *The Companies Act*, to be rendered in the books of the Company in respect of such share or, shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

R.S., c. 79.

Date of surrender to be entered.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Directors may vary conditions of issue.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

L2

An Act respecting Mexican Electric Traction Company, Limited, and to change its name to Mexican Interurban Electric Railway Company, Limited.

Received and read a first time

Wednesday, 28th February, 1912.

Second reading

Friday, 1st March, 1912.

Honourable MR. MCHUGH.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

2

BILL L2

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act respecting Mexican Interurban Electric Traction Company, Limited, and to change its name to Mexican Interurban Electric Railway Company, Limited.

Preamble

WHEREAS Mexican Interurban Electric Traction Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, chapter 79 of *The Revised Statutes*, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Canada Gazette, January 20th, 1912.

Name changed.

1. The name of the said Company, hereinafter called "the Company," is changed to "Mexican Interurban Electric Railway Company, Limited"; but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Saving of rights.

Powers of Company in Mexico.

2. Subject to the laws in force in the United States of Mexico and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States of Mexico, survey, lay out, construct, complete, equip, maintain, and operate, and extend, remove, and change as re-

Railways

quired, double or single iron or steel railways and branches, side tracks, turnouts, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate, for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition of properties of other companies.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder

Liability of Company for entry without cancellation.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its book the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the

full extent, or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

Particulars to be entered in register.

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share, or shares, included in the warrant;

(*c*) the date of the issue of the warrant;

and, until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required by sections 89 and 90 of *The Companies Act*, to be rendered in the books of the Company in respect of such share or, shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

R.S., c. 79.

Date of surrender to be entered.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Directors may vary conditions of issue.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL M2.

An Act respecting The Saskatchewan Central Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1910, c. 160.

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

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

M2

An Act respecting the Saskatchewan Central Railway Company.

Received and read a first time,

Wednesday, 28th February, 1912.

Second reading,

Friday, 1st March, 1912.

HONOURABLE MR. BOSTOCK.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL M2.

AS PASSED BY THE SENATE 14th MARCH, 1912.

An Act respecting The Saskatchewan Central Railway Company.

Preamble.

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

1910, c. 160.

Extension of time for construction.

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

1st Session, 13th Parliament, 2 George V., 1911-12

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL N2.

An Act to amend *The Militia Act* and to change the title thereof to *The Canadian Army Act.*

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

1. Chapter 41 of *The Revised Statutes of Canada*, 1906, intituled *An Act respecting the Militia and Defence of Canada* is hereby amended by substituting therein for the word "Militia" and for the words "Militia and Defence", wherever the said word or words appear in the said chapter, the words "Canadian Army." R.S., c. 41 amended.

2. The title of the said chapter shall henceforth be *The Canadian Army Act.* Title amended.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

N2

An Act to amend *The Militia Act* and to change the title thereof to *The Canadian Army Act.*

Received and read a first time,

Wednesday, 28th February, 1912.

Second reading,

Tuesday 5th March, 1912.

HONOURABLE MR. DOMVILLE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL O2

An Act respecting The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

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

Preamble
1898, c. 91; 1901, c. 101; 1908, c. 108.

1. Paragraph (*e*) of section 1 of chapter 91 of the statutes of 1898 incorporating The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, as the said paragraph is enacted by section 1 of chapter 108 of the statutes of 1908, is hereby amended by striking out the last six words thereof.

1898, c. 91, s. 1, para. (*e*) and 1908, c. 108, s. 1 amended.
Life Insurance.

2. Section 6 of the said chapter 91 is hereby repealed and the following substituted therefor:—

1898, c. 91, s. 6, new section.

"**6.** The Society may invest its funds as provided by sections 58 to 60, both inclusive, of *The Insurance Act*, 1910, so far as the said sections are applicable to the Society."

Investment of funds.

3. Section 4 of the said chapter 91 is hereby repealed and the following substituted therefor:—

1898, c. 91, s. 4, new section.

"**4.** The value of the real property which any branch may hold shall not exceed five thousand dollars, and the Society may, by laws, determine the manner in which such real property shall be held and conveyed, subject always

Power to hold real property.

to the laws of the province in which such real property is situated; provided always that no part of the benefit funds shall be used in acquiring any such property."

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

O2

An Act respecting The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

Received and read a first time

Thursday, 29th February, 1912.

Second reading

Tuesday, 5th March, 1912.

Honourable Mr. Power.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL O2.

AS PASSED BY THE SENATE 18th MARCH, 1912.

An Act respecting The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

Preamble
1898, c, 91; 1901, c. 101; 1908, c. 108.

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

1898, c. 91, s. 6, new section. Investment of funds.

1. Section 6 of chapter 91 of the statutes of 1898, intituled *An Act to incorporate the Subsidiary Court of the Ancient Order of Foresters in the Dominion of Canada,* is hereby repealed and the following substituted therefor:—

"**6.** The Society may invest its funds as provided by sections 58 to 60, both inclusive, of *The Insurance Act,* 1910, so far as the said sections are applicable to the Society."

1898, c. 91, s. 4, new section. Power to hold real property.

2. Section 4 of the said chapter 91 is hereby repealed and the following substituted therefor:—

"**4.** The value of the real property which any branch may hold shall not exceed five thousand dollars, and the Society may, 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 property is situated; provided always that no part of the benefit funds shall be used in acquiring any such property."

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL P2

An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.

Preamble.

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

Incorporation

1. Norman Gladstone Heyd, of the city of Toronto, barrister-at-law; Harry J. Cox, salesman; Thomas H. Jones, contractor; John Shayne, osteopath; Frederick W. Rose, traveller; William James McLarty, barrister-at-law; Erell Chester Ironside, barrister-at-law, all of the city of Toronto, in the province of Ontario, together with such persons as become members of the society hereby incorporated, are hereby incorporated under the name of "The Grand Lodge of the Loyal Order of Moose in the Dominion of Canada," hereinafter called "the Society."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional officers of the Society, and shall hold office until their successors are elected.

Head office.

3. The head office of the Society shall be in the city of Toronto, in the province of Ontario.

Governing body.

4. The Society shall be governed by a representative body to be known as the Grand Lodge, whose officers shall be elected annually or biennially as may be determined by by-law.

Purposes.

5. The purposes of the Society shall be as follows:—

Fraternal union.

(*a*) To unite fraternally all persons entitled to membership under the constitution and by-laws of the Society;

Improvement.

(*b*) To improve the social, intellectual and moral condition of the members of the Society; and to educate them in integrity, sobriety and frugality, and to give all moral and material aid in its power to its members and those dependent upon them;

Sick fund.

(*c*) To establish a fund for the relief of sick and distressed members;

Benefit fund.

(*d*) To establish a benefit fund—

(i) for insuring a sum of money, not exceeding one thousand five hundred dollars, payable on the death of a member;

(ii) for insuring a sum of money payable for the funeral expenses of a member;

(iii) for the relief or maintenance of members in old age;

Other advantage

(*e*) To secure for its members such other advantages, other than insurance benefits, as are from time to time designated by the constitution and by-laws of the Society.

Insurance business basis and premiums.

6. The insurance business of the Society shall be carried on upon the net premium reserve basis, and the premiums or contributions for the several benefits provided for shall be payable monthly, bi-monthly, quarterly, half yearly or annually in advance.

Reserves to be maintained.

7. The Society shall maintain—

(*a*) In respect of all sums payable at death the reserves required by the National Fraternal Congress Table of Mortality, and at a rate of interest of four per cent;

(*b*) In respect of sums payable at or during sickness or disability, such additional reserves as are required by such standard tables as may, in the opinion of the Superintendent of Insurance, be appropriate, and at the said rate of interest, all such reserves being ascertained by the net premium method.

Branches.

8. Subject to the constitution and by-laws of the Society, branches, under the name of "Lodges" or "Districts", provincial or territorial, (as the case may be), subordinate to the Society may be established in Canada under the title or number designated in the charter granted by the Society when constituting such branches; and subject to such provisions and conditions and with such powers as the Society may determine by by-law: Provided, however, that such powers shall not be in excess of those conferred upon the Society by this Act.

Powers of.

Rules and by-laws.

9. The Society may make rules and by-laws for the guidance of its officers and members, the control and management of its funds, the number of members composing the Grand Lodge, and generally for regulating every matter and thing proper and necessary to be done for the good of the Society and the prosecution of its objects and purposes.

Limitation of sick benefits.

10. No sick benefits shall be paid to any member exceeding ten dollars per week, nor for a longer period than is provided for in the constitution and by-laws of the Society for the time being in force.

Sick benefit fund. Registers etc.

2. Separate and distinct registers and books of account shall be kept by the Society, showing the members entitled to participate in the sick benefit fund, the receipts and payments in respect thereof, the amounts from time to time chargeable against it, and every other matter and detail of which an account ought to be kept.

Assets chargeable.

3. The sick benefit fund and securities representing it shall alone be available for the payment of sick benefits, and no other assets or securities of the Society shall be available for that purpose.

Mortuary funds.

11. Separate and distinct registers and books of account shall be kept by the Society showing the members who, or whose representatives, are entitled to share in the mortuary funds, the receipts and payments in respect thereof, the sums from time to time chargeable against the same, and all necessary and proper details.

Real Estate.

12. Subject to provincial laws, the Society may acquire by devise, bequest, purchase, gift or lease, such real property not exceeding in the aggregate the value of one hundred thousand dollars, as is required to carry out the objects of the Society, and may sell, lease or otherwise dispose thereof for such objects.

Certificate of membership. Contents and effect.

13. Every person who is admitted a member of the Society, shall receive a certificate of membership on which shall be printed the by-laws, rules and regulations relating to membership or the conditions of membership; and so long as such conditions are complied with he shall remain a member of the Society and shall enjoy all privileges of membership.

Deposit of constitution, etc.

14. Within three months after the passing of this Act, a certified copy of the constitution and by-laws of the Society

and of its form of certificate of membership shall be deposited in the office of the Superintendent of Insurance; and copies of any future change in or amendment thereof shall be so deposited before they are acted on by the Society; and in default of compliance with any provision of this section the Society shall incur a penalty of ten dollars for each day during which such default continues.

Future general legislation.

15. Nothing herein shall exempt the Society from the effect of any legislation hereafter passed by the Parliament of Canada, with respect to any insurance powers exercised by friendly societies.

Application of 1910, c. 32.

16. *The Insurance Act, 1910,* in so far as it is not inconsistent with this Act, shall apply to the Society.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I.

P 2

An Act to incorporate the Grand Lodg of the Loyal Order of Moose in th Dominion of Canada.

Received and read a first time

Thursday, 29th February, 191

Second reading

Tuesday, 5th, March, 191

Honourable MR. POWER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL P2.

AS PASSED BY THE SENATE 18th MARCH, 1912.

An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.

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

1. Norman Gladstone Heyd, of the city of Toronto, barrister-at-law; Harry J. Cox, salesman; Thomas H. Jones, contractor; John Shayne, osteopath; Frederick W. Rose, traveller; William James McLarty, barrister-at-law; Erell Chester Ironside, barrister-at-law, all of the city of Toronto, in the province of Ontario, together with such persons as become members of the society hereby incorporated, are hereby incorporated under the name of "The Grand Lodge of the Loyal Order of Moose in the Dominion of Canada," hereinafter called "the Society." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional officers of the Society, and shall hold office until their successors are elected. Provisional directors.

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

4. The Society shall be governed by a representative body to be known as the Grand Lodge, whose officers shall be elected annually or biennially as may be determined by by-law. Govern body.

Purposes. Fraternal union.

5. The purposes of the Society shall be as follows:—

(*a*) To unite fraternally all persons entitled to membership under the constitution and by-laws of the Society;

Improvement.

(*b*) To improve the social, intellectual and moral condition of the members of the Society; and to educate them in integrity, sobriety and frugality, and to give all moral and material aid in its power to its members and those dependent upon them;

Sick fund.

(*c*) To establish a fund for the relief of sick and distressed members;

Benefit fund.

(*d*) To establish a benefit fund—

(i) for insuring a sum of money, not exceeding one thousand five hundred dollars, payable on the death of a member;

(ii) for insuring a sum of money payable for the funeral expenses of a member;

(iii) for the relief or maintenance of members in old age;

Other advantage

(*e*) To secure for its members such other advantages, other than insurance benefits, as are from time to time designated by the constitution and by-laws of the Society.

Insurance business basis and premiums.

6. The insurance business of the Society shall be carried on upon the net premium reserve basis, and the premiums or contributions for the several benefits provided for shall be payable monthly, bi-monthly, quarterly, half yearly or annually in advance.

Reserves to be maintained.

7. The Society shall maintain—

(*a*) In respect of all sums payable at death the reserves required by the National Fraternal Congress Table of Mortality, and at a rate of interest of four per cent;

(*b*) In respect of sums payable at or during sickness or disability, such additional reserves as are required by such standard tables as may, in the opinion of the Superintendent of Insurance, be appropriate, and at the said rate of interest, all such reserves being ascertained by the net premium method.

Branches.

8. Subject to the constitution and by-laws of the Society, branches, under the name of "Lodges" or "Districts", provincial or territorial, (as the case may be), subordinate to the Society may be established in Canada under the title or number designated in the charter granted by the Society when constituting such branches; and subject to such provisions and conditions and with such powers as the Society may determine by by-law: Provided, however, that such powers shall not be in excess of those conferred upon the Society by this Act; and further provided that no such branch shall have power to establish benefit funds under paragraph (*d*) of section 5 of this Act.

Powers of.

9. The Society may make rules and by-laws for the guidance of its officers and members, the control and management of its funds, the number of members composing the Grand Lodge, and generally for regulating every matter and thing proper and necessary to be done for the good of the Society and the prosecution of its objects and purposes. Rules and by-laws.

10. No sick benefits shall be paid to any member exceeding ten dollars per week, nor for a longer period than is provided for in the constitution and by-laws of the Society for the time being in force. Limitation of sick benefits.

2. Separate and distinct registers and books of account shall be kept by the Society, showing the members entitled to participate in the sick benefit fund, the receipts and payments in respect thereof, the amounts from time to time chargeable against it, and every other matter and detail of which an account ought to be kept. Sick benefit fund. Registers etc.

3. The sick benefit fund and securities representing it shall alone be available for the payment of sick benefits, and no other assets or securities of the Society shall be available for that purpose. Assets chargeable

11. Separate and distinct registers and books of account shall be kept by the Society showing the members who, or whose representatives, are entitled to share in the mortuary funds, the receipts and payments in respect thereof, the sums from time to time chargeable against the same, and all necessary and proper details. Mortuary funds.

12. Subject to provincial laws, the Society or any branch thereof may acquire by devise, bequest, purchase, gift or lease, such real property not exceeding in the aggregate the value of one hundred thousand dollars, as is required for its actual use and occupation only, and may sell, lease or otherwise dispose thereof. Real Estate.

13. Every person who is admitted a member of the Society, shall receive a certificate of membership on which shall be printed the by-laws, rules and regulations relating to membership or the conditions of membership; and so long as such conditions are complied with he shall remain a member of the Society and shall enjoy all privileges of membership. Certificate of membership. Contents and effect.

14. Within three months after the passing of this Act, a certified copy of the constitution and by-laws of the Society Deposit of constitution, etc.

and of its form of certificate of membership shall be deposited in the office of the Superintendent of Insurance; and copies of any future change in or amendment thereof shall be so deposited before they are acted on by the Society; and in default of compliance with any provision of this section the Society shall incur a penalty of ten dollars for each day during which such default continues.

Future general legislation.

15. Nothing herein shall exempt the Society from the effect of any legislation hereafter passed by the Parliament of Canada, with respect to any insurance powers exercised by friendly societies.

Application of 1910, c. 32.

16. *The Insurance Act, 1910*, in so far as it is not inconsistent with this Act, shall apply to the Society.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Q2.

An Act to incorporate The Interprovincial Fire Insurance Company.

Preamble.

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

Incorporation.

1. Honourable P. Auguste Choquette, Senator, advocate and King's Counsel, Napoleon Arthur Dussault, physician, Camilien Joseph Lockwell, manager, all of the city of Quebec in the province of Quebec, and Damien Masson, physician, Stanislas Donatien Joubert, merchant, Charles H. Branchaud, stock broker, Alexandre Godfroi Casault, insurance manager and Joseph Charles Hector Dussault, advocate, all of the city of Montreal in the said province, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Interprovincial Fire Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital increase.

3. The capital stock of the Company shall be one million dollars, which may be increased to two million dollars.

Subscription before general meeting.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred and fifty thousand dollars.

Head office.

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

Classes of business authorized.

6. The Company may carry on the business of fire insurance, the business of cyclone or tornado insurance, and the following classes of business as defined by section 2 of *The Insurance Act*, 1910, namely: explosion insurance, inland transportation insurance and sprinkler leakage insurance.

Commencement of business.

7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of its capital stock have been subscribed and one hundred thousand dollars paid thereon.

2. The Company shall not transact the business of cyclone or tornado insurance and inland transportation insurance in addition to fire insurance until its subscribed capital stock has been increased to at least three hundred thousand dollars and at least one hundred and twenty-five thousand dollars have been paid thereon.

3. The Company shall not transact all the classes of insurance authorized by this Act until at least four hundred thousand dollars of its capital stock have been subscribed and at least one hundred and fifty thousand dollars have been paid thereon.

1910, c. 32 to apply.

8. *The Insurance Act*, 1910, shall apply to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

Q2

An Act to incorporate The Interprovincial Fire Insurance Company.

Received and read a first time,

Friday, 1st March, 1912.

Second reading,

Wednesday, 6th March, 1912.

Honourable, Mr. Choquette.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Q2.

AS PASSED BY THE SENATE 13th MARCH, 1912.

An Act to incorporate The Interprovincial Fire Insurance Company.

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

1. Honourable P. Auguste Choquette, Senator, advocate and King's Counsel, Napoleon Arthur Dussault, physician, Camilien Joseph Lockwell, manager, all of the city of Quebec in the province of Quebec, and Damien Masson, physician, Stanislas Donatien Joubert, merchant, Charles H. Branchaud, stock broker, Alexandre Godfroi Casault, insurance manager and Joseph Charles Hector Dussault, advocate, all of the city of Montreal in the said province, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Interprovincial Fire Insurance Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be one million dollars, which may be increased to two million dollars. Capital increase.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred and fifty thousand dollars. Subscription before general meeting.

Head office.

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

Classes of business authorized.

6. The Company may carry on the business of fire insurance, the business of cyclone or tornado insurance, and the following classes of business as defined by section 2 of *The Insurance Act*, 1910, namely: explosion insurance, inland transportation insurance and sprinkler leakage insurance.

Commencement of business.

7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of its capital stock have been subscribed and one hundred thousand dollars paid thereon.

2. The Company shall not transact the business of cyclone or tornado insurance and inland transportation insurance in addition to fire insurance until its subscribed capital stock has been increased to at least three hundred thousand dollars and at least one hundred and twenty-five thousand dollars have been paid thereon.

3. The Company shall not transact all the classes of insurance authorized by this Act until at least four hundred thousand dollars of its capital stock have been subscribed and at least one hundred and fifty thousand dollars have been paid thereon.

1910, c. 32 to apply.

8. *The Insurance Act*, 1910, shall apply to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA

BILL R2.

An Act to incorporate The Prince Edward and Hastings Railway Company.

Preamble.

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

Incorporation.

1. G. M. Farrington and Thomas Walmsley, both of the town of Picton, in the county of Prince Edward, in the province of Ontario, W. H. Gough, of Bloomfield, in the said county, W. P. Niles, of Wellington, in the said county, and Harry Dempsey, of Albury, in the said county of Prince Edward, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Prince Edward and Hastings Railway Company," hereinafter called "the Company."

Corporate name.

Declaration.

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

Provisional directors.

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

Capital stock.

Calls thereon.

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent. on the shares subscribed.

Issue of preference stock.

5. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual

meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

6. The head office of the Company shall be at the town of Picton, in the county of Prince Edward, in the province of Ontario.

Annual meeting.

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

Directors.

8. The number of directors shall not be less than five or more than nine, one or more of whom may be paid directors.

Line of railway described.

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

(*a*) from a point at or near Trenton in the county of Hastings, by the most feasible route to Gardenville, in the county of Prince Edward, thence in an easterly direction through or near Albury, Rednersville and Rossmore, in the county of Prince Edward, to the city of Belleville, in the county of Hastings; thence north-easterly to Frankford, and thence to Trenton in the said county;

(*b*) from some point on the above described line between Albury and Rednersville to Wellington, in the county of Prince Edward, and thence in an easterly direction through or near Bloomfield to a point at or near Picton, in the said county;

(*c*) from a point at or near Picton, in a northerly direction to Demorestville, thence in an easterly direction through or near Northport and Solmesville, to Ferry Point, all in the said county of Prince Edward;

(*d*) from Bloomfield, in the county of Prince Edward, in a south-westerly direction to West Point, in the said county;

(*e*) from Picton, in a south-westerly direction to West Point;

(*f*) from Picton in a south-easterly direction to Black River;

(*g*) from Picton in an easterly direction through or near Waupoos to Indian Point.

Consent of municipalities.

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

Vessels, etc.

11. The Company may, for the purposes of the conveyance of passengers, goods and merchandise, and of engaging in local, interprovincial and international traffic between the termini of the Company's railway and other places in Canada and elsewhere, construct, acquire, charter, operate and dispose of steam and other vessels of every kind and description; and may enter into agreements with owners of vessels, boats and ferries for any such purposes; and may, subject to *The Railway Act*, levy and collect tolls and charges for any services connected therewith; and may, for such purposes, construct, acquire, lease and dispose of terminal stations and facilities, wharves, docks, elevators, warehouses, offices and other structures; and may carry on the business of forwarding agents, wharfingers and warehousemen.

Tolls and charges.

Terminals, wharves, etc.

Forwarding business.

Telegraphs and telephones.

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

Tolls and charges.

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

R.S.C. 126.

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

Transmission and delivery of

13. For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Com-

electric and other power.

pany may acquire, but not by expropriation, electric or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

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

Issue of securities.

15. The securities issued by the Company shall not exceed thirty thousand dollars per mile of its railway in the case of a single track railway, with an additional amount of ten thousand dollars per mile of double track; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for purposes other than railway.

16. In addition to the securities authorized by section 15 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Agreements with other companies.

17. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into

agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company and The Canadian Northern Railway Company.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

R2.

An Act to incorporate The Prince Edward and Hastings Railway Company.

Received and read a first time,

Friday, 1st March, 1912.

Second reading,

Wednesday, 6th March, 1912.

Honourable Sir Mackenzie Bowell.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL R2.

AS PASSED BY THE SENATE 8th MARCH, 1912.

An Act to incorporate The Prince Edward and Hastings Railway Company.

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

1. G. M. Farrington and Thomas Walmsley, both of the town of Picton, in the county of Prince Edward, in the province of Ontario, W. H. Gough, of Bloomfield, in the said county, W. P. Niles, of Wellington, in the said county, and Harry Dempsey, of Albury, in the said county of Prince Edward, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Prince Edward and Hastings 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. Declaration.

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

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent. on the shares subscribed. Capital stock. Calls thereon.

5. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual Issue of preference stock.

meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Status of holders.

Head office.

6. The head office of the Company shall be at the town of Picton, in the county of Prince Edward, in the province of Ontario.

Annual meeting.

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

Directors.

8. The number of directors shall not be less than five or more than nine, one or more of whom may be paid directors.

Line of railway described.

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

(*a*) from a point at or near Trenton in the county of Hastings, by the most feasible route to Gardenville, in the county of Prince Edward, thence in an easterly direction through or near Albury, Rednersville and Rossmore, in the county of Prince Edward, to the city of Belleville, in the county of Hastings; thence north-westerly to Frankford, and thence to Trenton in the said county;

(*b*) from some point on the above described line between Albury and Rednersville to Wellington, in the county of Prince Edward, and thence in an easterly direction through or near Bloomfield to a point at or near Picton, in the said county;

(*c*) from a point at or near Picton, in a northerly direction to Demorestville, thence in an easterly direction through or near Northport and Solmesville, to Ferry Point, all in the said county of Prince Edward;

(*d*) from Bloomfield, in the county of Prince Edward, in a south-westerly direction to West Point, in the said county;

(*e*) from Picton, in a south-westerly direction to West Point;

(*f*) from Picton in a south-easterly direction to Black River;

(*g*) from Picton in an easterly direction through or near Waupoos to Indian Point.

Consent of municipalities.

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

Vessels, etc.

11. The Company may, for the purposes of the conveyance of passengers, goods and merchandise, and of engaging in local, interprovincial and international traffic between the termini of the Company's railway and other places in Canada and elsewhere, construct, acquire, charter, operate and dispose of steam and other vessels of every kind and description; and may enter into agreements with owners of vessels, boats and ferries for any such purposes; and may, subject to *The Railway Act*, levy and collect tolls and charges for any services connected therewith; and may, for such purposes, construct, acquire, lease and dispose of terminal stations and facilities, wharves, docks, elevators, warehouses, offices and other structures; and may carry on the business of forwarding agents, wharfingers and warehousemen.

Tolls and charges.

Terminals, wharves, etc.

Forwarding business.

Telegraphs and telephones.

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

Tolls and charges.

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

R.S.C. 126.

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

Transmission and delivery of

13. For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Com-

electric and other power.

pany may acquire, but not by expropriation, electric or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

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

Issue of securities.

15. The securities issued by the Company shall not exceed thirty thousand dollars per mile of its railway in the case of a single track railway, with an additional amount of ten thousand dollars per mile of double track; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for purposes other than railway.

16. In addition to the securities authorized by section 15 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Agreements with other companies.

17. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into

agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company and The Canadian Northern Railway Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL S2.

An Act to incorporate International Guarantee Company.

Preamble.

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

Incorporation

1. William Robinson and William J. Boyd, merchants, Daniel E. Sprague and Manilus Bull, manufacturers, Neil T. McMillan, real estate agent, John D. Atchison, architect, and Henry Van Hummell, insurance manager, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the Company, are incorporated under the name of "International Guarantee Company" hereinafter called "The Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital stock.

Increase.

3. The capital stock of the Company shall be two million five hundred thousand dollars, which may be increased to five million dollars.

Subscription before election of directors.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred and fifty thousand dollars.

Head office.

5. The head office of the Company shall be in the city of Winnipeg in the province of Manitoba.

Business authorized.

6. The Company may carry on the following classes of business as defined by *The Insurance Act*, 1910, namely: accident, sickness, guarantee, automobile, and burglary insurance.

Payments on stock before commencing various classes of business.

7. The Company shall not commence the business of accident insurance and sickness insurance until at least two hundred thousand dollars of its capital stock have been *bona fide* subscribed and sixty thousand dollars thereof have been paid.

2. The Company shall not transact the business of accident, sickness and guarantee insurance until at least four hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least one hundred and twenty thousand dollars thereof have been paid: Provided that the Company may transact the business of guanantee insurance only, when two hundred thousand dollars of its capital stock have been *bona fide* subscribed and sixty thousand dollars thereof have been paid.

3. The Company shall not transact all the classes of business authorized by this Act until at least five hundred and fifty thousand dollars of its capital stock have been *bona fide* subscribed and one hundred and sixty thousand dollars thereof have been paid: Provided that the Company may transact all the classes of business authorized except guarantee insurance, or all the classes except accident and sickness insurance, when three hundred and fifty thousand dollars of its capital stock have been *bona fide* subscribed and one hundred thousand dollars thereof have been paid.

Acquisition of stock, assets, etc., of other companies.

8. The Company may, subject to the approval of the Treasury Board, purchase the stock of any other company having objects the same as or similar to those of the Company; and may acquire the assets, business and undertaking of any other company having objects the same as or similar to those of the Company, and may pay therefor in cash, or by the issue of stock of the Company, or in such other manner as may be convenient.

Application of 1910, c. 32

9. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities granted by and shall be subject to all the liabilities and provisions in *The Insurance Act*, 1910, so far as they may be applicable to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

S2

An Act to incorporate International Guarantee Company.

Received and read a first time

Tuesday, 5th March, 1912.

Second reading

Thursday, 7th March, 1912.

Honourable Mr. Pope.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL S2.

AS PASSED BY THE SENATE 14th MARCH, 1912.

An Act to incorporate International Guarantee Company.

Preamble.

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

Incorporation

1. William Robinson and William J. Boyd, merchants, Daniel E. Sprague and Manilus Bull, manufacturers, Neil T. McMillan, real estate agent, John D. Atchison, architect, and Henry Van Hummell, insurance manager, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the Company, are incorporated under the name of "International Guarantee Company" hereinafter called "The Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital stock.

Increase.

3. The capital stock of the Company shall be two million five hundred thousand dollars, which may be increased to five million dollars.

Subscription before election of directors.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred and fifty thousand dollars.

Head office

5. The head office of the Company shall be in the city of Winnipeg in the province of Manitoba.

Business authorized.

6. The Company may carry on the following classes of business as defined by *The Insurance Act*, 1910, namely: accident, sickness, guarantee, automobile, and burglary insurance.

Payments on stock before commencing various classes of business.

7. The Company shall not commence the business of accident insurance and sickness insurance until at least two hundred thousand dollars of its capital stock have been *bona fide* subscribed and sixty thousand dollars thereof have been paid.

2. The Company shall not transact the business of accident, sickness and guarantee insurance until at least four hundred thousand dollars of its capital stock have been *bona fide* subscribed and at least one hundred and twenty thousand dollars thereof have been paid: Provided that the Company may transact the business of guanantee insurance only, when two hundred thousand dollars of its capital stock have been *bona fide* subscribed and sixty thousand dollars thereof have been paid.

3. The Company shall not transact all the classes of business authorized by this Act until at least five hundred and fifty thousand dollars of its capital stock have been *bona fide* subscribed and one hundred and sixty thousand dollars thereof have been paid: Provided that the Company may transact all the classes of business authorized except guarantee insurance, or all the classes except accident and sickness insurance, when three hundred and fifty thousand dollars of its capital stock have been *bona fide* subscribed and one hundred thousand dollars thereof have been paid.

Application of 1910, c. 32

8. *The Insurance Act*, 1910, shall apply to the Company.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL T2.

An Act to incorporate The British-American Trust Company.

Preamble

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

Incorporation.

1. Robert Richardson Muir, merchant, Edward Borden Reese, electrical engineer, David Low Mather, gentleman, Arthur Edward Muir, merchant, and William Redford Mulock, King's counsel, all of the city of Winnipeg in the province of Manitoba, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The British-American Trust Company" hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act are hereby constituted the first or provisional directors of the Company; they shall hold office until the first election of directors under this Act; they shall have power and authority immediately after the passing of this Act to open stock books and procure subscriptions for stock as to them shall seem expedient, and generally to do what is necessary to organize the Company.

Capital stock.

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

Head office.

4. The head office of the Company shall be at the city of Winnipeg in the province of Manitoba, and the directors may from time to time establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices.

First general meeting.

5. As soon as two hundred thousand dollars of the capital stock of the Company have been subscribed and seventy-five thousand dollars in cash paid thereon into the funds of the Company, a general meeting of the Company shall be held at the head office of the Company at such time as the provisional directors or a majority thereof may determine. Notice of such meeting may be given by mailing ten days before the holding of such meeting, a written notice of such time and place, to the address of each shareholder of the Company. At the said meeting the subscribers for the capital stock who are present, or represented by proxy, shall elect not less than five nor more than eighteen persons to be directors of the Company, each of whom shall be a shareholder of the Company. They shall hold office until the next annual meeting or until their successors, are elected. Directors shall hold office subject to resignation, disqualification or incapacity as may be provided by by-law. Each director shall be entitled to vote by proxy, such proxy being another director; a majority of the directors present in person or by proxy at any meeting shall form a quorum; a resolution signed by all the directors shall be as valid as if it had been passed at a meeting; and the directors may appoint such committees to transact parts of their business as may be convenient.

Notice.

Election of directors.

Number and qualification of directors.

Proxies for directors.

Committees of directors.

Business powers.

6. The Company shall have power to carry on the business of a trust company in all its branches and among other powers (the same being specifically referred to, but not so as in any wise to restrict the generality of the foregoing), the Company may—

Executors, etc.

(*a*) execute the office of executor, administrator, trustee, receiver, assignee, official or otherwise, liquidator, official or otherwise, guardian of a minor's estate, or committee of a lunatic's estate;

Execution of trusts.

(*b*) accept and execute trusts of every description and nature whatsoever, not contrary to law, and hold, manage and deal with estates and property entrusted to the Company;

Attorney.

(*c*) act generally as attorney or agent for any person;

Certifying stock, etc.

(*d*) act as agent for the purpose of issuing or countersigning certificates of stock, bonds or other obligations;

Transfers.

(*e*) act as transfer agent or registrar for any company;

Sinking funds.

(*f*) receive, invest and manage any sinking fund;

(*g*) guarantee any investments made by the Company as agents or otherwise; Guarantee of investments.

(*h*) receive moneys for investment and allow interest thereon for a reasonable time until invested; Holding of money for investment.

(*i*) advance moneys and do such things as may be necessary to protect any estate, trust or property entrusted to the Company, and charge interest upon any advances so made; Advances, etc.

(*j*) guarantee the payment of moneys secured by, or payable under or in respect of, and warrant the legality of, bonds or debentures or securities of a similar nature; Guarantee of bonds, etc.

(*k*) act as a safety deposit company, and take and receive for safe keeping, on such terms as may be agreed upon, all kinds of securities or personal property. and guarantee the safe keeping of the same; Safe keeping of property.

(*l*) accept, enter into, make, execute and deliver all deeds, conveyances, transfers, assignments, grants and contracts necessary to carry out the purposes of the Company and to promote the business and objects of the Company; Execution of deeds, etc.

(*m*) pay out of the funds of the Company the costs, charges and expenses incidental to the formation and incorporation of the Company; Payment of costs of forming company.

(*n*) in the execution and performance of the duties of any office or trust or of any matter or thing in this Act contained, execute and perform the same as fully and completely as any person undertaking the same could do. Extent of foregoing powers.

7. In all cases where application is made to any court, judge, officer, or person having authority of to make an appointment to any office or trust, such court, judge, officer, or person, may appoint the Company, with its consent, to hold such office or trust, and may substitute, if necessary, for any obligations required from any private person appointed to such office or trust, such obligations as are usual, and may fix the remuneration of the Company; and in respect of any such appointment by any such court or judge, the Company shall be subject at all times to the orders, judgements and decrees thereof, and shall render such verified statements, accounts and receipts as may be required by law or shall be ordered with reference thereto. Power to courts, etc. to appoint the Company to act. Remuneration. Subjection to orders. Statements.

8. The Company shall invest trust moneys as follows and may manage, sell or dispose of such investments as the terms of the trust requires:— Investment of trust moneys.

(*a*) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral Mortgages of real estate.

security thereto: Provided however that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities.

(*b*) in the stock, funds or government securities of Canada or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds or debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom or of any of the colonies or dependencies thereof;

Securities specified by trust.

(*c*) in such securities as are authorized by the terms of the trust.

As authorized by provincial laws.

(*d*) trust funds belonging to any estate or trust which is being administered in any province, may be invested in securities in which trustees are authorized by the laws of such province to invest trust moneys.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form, or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order, or instrument creating the trust, provides otherwise.

Trust funds to be kept separate.

9. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 8 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said

Investment of trust monies.

general trust fund shall not at any time exceed three thousand dollars.

Terms of trusts not affected.

10. Nothing in this Act contained shall be held either to restrict or to extend the powers of the Company under the terms of any trust or agency that may be accepted by it.

Liability in respect of trusts.

11. The liability of the Company to persons interested in any trust or estate or matter entrusted to it, shall be the same as if the said trust or estate or matter had been held by any private person in the like capacity respectively, and its powers shall be the same, and the whole of the capital stock of the Company, together with its property and effects, shall be taken and considered as security for the faithful performance of its duties, and shall be absolutely liable in case of any default whatsoever, but no stockholder in the Company shall be liable to any greater extent than the amount unpaid upon any stock held by him, and all property, real and personal, of every nature and kind whatsoever received or held by the Company upon trust, or as agent or otherwise, shall not be liable for the debts or obligations of the Company.

Capital and assets to be security for performance.

Liability of stockholders.

Trust property not liable for Company's obligations.

Holding of real estate acquired by way of investment.

12. The Company may hold real estate, which being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and may, from time to time, sell, mortgage, lease, or otherwise dispose of the same; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Limitation of time.

Borrowing powers, etc.

Authority requisite.

13. If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, or at any annual meeting, the directors may from time to time,—

Borrowing.

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

Amount.

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

Issue of bonds, etc.

(*c*) issue bonds, debentures or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient;

Hypothecation of property.

(*d*) hypothecate, mortgage or pledge the real or personal property of the Company, or both, or parts thereof, to secure any such bonds, debentures, or other securities, and any money borrowed for the purposes of the Company;

Preference stock.

(*e*) create and issue any part of the capital as preference shares;

Debenture stock.

(*f*) create and issue debenture stock;

Conversion of stock and securities.

(*g*) convert preference shares into common shares or debentures or debenture stock, convert debentures into debenture stock or preference shares, and convert any class of shares or securities into any other class.

Investment of Company's own funds.

14. The Company may invest any moneys, forming part of its capital or reserve or accumulated profits, in such securities, real or personal, and mortgage, hypothecate, exchange, lease, sell, or otherwise deal with or dispose of, the same or any part thereof, on such terms, and for such price, and by public sale or private contract, and reinvest the proceeds, all as the directors may from time to time deem expedient.

Real estate for Company's business.

15. The Company may hold real estate not exceeding one million dollars in value for the purposes of its business.

Directors, officers, etc not to become indebted to Company.

16. No director, officer, agent or employee of the Company shall become in any manner indebted to the Company, except for any unpaid liability for shares subscribed: Provided that the execution and delivery of any bond required from any such officer, agent or employee shall not be considered as an indebtedness for the purpose of this section.

Amalgamation with other companies.

17. The Company may, subject to the approval of the Governor in Council, amalgamate with any other company having objects similar in whole or in part to those of the Company, or any part thereof, which other company is

Approval by Governor in Council.

hereby authorized and empowered to amalgamate with the Company; and such amalgamation may be by deed, which, however shall not effect such amalgamation until

Approval by shareholders.

it has been submitted to and approved of by the shareholders of both Companies at meetings of such shareholders respectively duly called for such purpose, and approved of by a vote of not less than two-thirds in value of those then present or represented by proxy at each such meeting;

Name.

and by such deed of amalgamation it may be agreed that the amalgamating companies shall thereafter form one company under the name agreed upon and set forth in the said

Apportionment of stock

deed, or in such manner as may thereafter be lawfully adopted in lieu thereof; and by such deed the proportion of stock which shall be represented by each company shall be settled, and provision shall be made for giving the voting power to the shareholders of each of the companies as shall be entitled thereto by the conversion of their stock on terms which shall be agreed upon by the said deed, into stock of the amalgamated company; and by such deed also the

number of directors to constitute the board of directors of the amalgamated company shall be fixed, and the mode of appointing the first board of directors shall be established, leaving subsequent boards of directors to be elected in the usual manner; notice of the application for approval of the amalgamation shall be given by advertisement published in two consecutive issues of *The Canada Gazette*, and thereafter and upon the same being approved of by the Governor in Council, and upon the fyling thereof in the office of the Secretary of State of Canada, (no registration or fyling in any other office being required), and upon giving notice thereof in *The Canada Gazette* the undertakings and all the powers, rights, and privileges, and all the property and assets, of the companies parties to such amalgamation shall *ipso facto* become and be vested in the amalgamated company under such name, (the Governor General in Council however having authority to change the name), in such manner and to the same extent as if they had been originally conferred on or granted to or acquired by it, but subject to all liens, privileges and charges thereon; and all debts due and owing by or to the companies, parties to such amalgamation, shall become due and owing to or by the amalgamated company in such manner as if they had been originally contracted by it. Notice of such approval shall forthwith be published in two consecutive issues of *The Canada Gazette*. In the event that any company, which may be amalgamated with the Company pursuant hereto, has any power, right, franchise, authority or privilege similar to any of those of the Company, but exerciseable upon different terms and conditions, the amalgamated company may exercise the same upon the terms and conditions prescribed in the case of either constituent company. The approval of the Governor in Council to any such amalgamation shall be sufficient and conclusive evidence that all the conditions and formalities connected with the said amalgamation have been complied with, and the said amalgamation so approved of shall be valid and binding on all parties and not be questioned in any court.

Directors.

Notice of application for approval by Governor in Council.

Notice of approval.

Effect of approval.

Exercise of powers of constituent companies.

Effect of approval as evidence.

18. The Company may, in respect to all or any of the services, duties or trusts undertaken by it, charge and be allowed and collect and receive all such remuneration, charges, accounts and disbursements as may be agreed upon; and, in default of any such agreement, the Company may charge, collect and receive all proper remuneration and lawful and customary charges, costs and disbursements.

Remuneration for services.

Indemnification of directors against damages for acts done in execution of office.

19. Every director of the Company, and his heirs, executors and administrators, and his and their estate and effects respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the Company from and against all damages, costs, charges and expenses whatsoever, which he sustains or incurs in or about any action, suit or proceeding which is brought, or commenced or prosecuted, against him for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him in or about the execution of the duties of his office, and also from and against all other damages, costs, charges and expenses which he sustains or incurs in or about or in relation to the affairs thereof; he shall be chargeable with only so much money as he actually receives, and shall not be answerable or accountable for his co-directors, or any or either of them, but each for his own acts, deeds and defaults only.

As to shares jointly held.

20. If any share stands in the names of two or more persons, the first name on the certificate of such persons shall as regards voting at meetings, receipts of dividends, services of notices, and all other matters connected with the Company, except transfers, be deemed the sole holder thereof;

Application of R.S., c. 79.

21. Part II of *The Companies Act*, except sections 125, 141, 146, 165, 166, and 168 thereof, shall apply to the Company, but section 134 thereof shall be read as if the words "other than a trust company" were not part of the said section; and further, in addition to the powers conferred upon the directors under section 132 thereof included in the foregoing, they may make by-laws from time to time for the declaration and payment of dividends in stock or otherwise.

As to registration of deeds relating to real estate.

22. Every transfer, deed, conveyance, assignment or other document relating to real estate, or any interest therein, made to or executed in favor of the Company, and in which no trust is expressed, and every transfer, deed, conveyance, assignment or other document executed by the Company relating to the land or interest aforesaid, presented for fyling or registration, may be registered as if the Company were legally qualified in respect thereof to accept, take, make and execute the same free from all trusts; and no district registrar or registrar, or any person, shall be obliged to or shall inquire into the question of any trust which may in any way relate to the same, but the responsibility and liability of the Company shall be and remain the same as if this section had not been passed.

23. The powers and authority hereby granted to the Company shall be exercised in any province subject to the laws of such province in that behalf, and shall not have any force or effect in any province in any respect in which they are inconsistent with the laws of that province. Application of provincial laws.

24. The Company shall have power to sell, lease or otherwise dispose of the undertaking of the Company and its rights and properties, for such consideration as the Company may think fit. Power to sell undertaking.

25. Nothing in this Act shall be constructed to authorize the Company to issue any note payable to bearer or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance. Note issue prohibited. Banking and insurance prohibited.

26. The Company shall prepare, and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president or vice-president, and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year. Annual statement to Minister of Finance.

2. If the Company for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty. Penalty for neglect.

27. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years. Forfeiture of charter by non-user.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

T2.

An Act to incorporate The British-American Trust Company.

Received and read a first and second times,

Tuesday, 5th March, 1912.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

Reprinted with amendments proposed by The Department of Finance,
12th March, 1912.

J. G. A. CREIGHTON,
Law Clerk of the Senate.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL T2.

An Act to incorporate The British-American Trust Company.

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

1. Robert Richardson Muir, merchant, Edward Borden Reese, electrical engineer, David Low Mather, gentleman, Arthur Edward Muir, merchant, and William Redford Mulock, King's counsel, all of the city of Winnipeg in the province of Manitoba, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The British-American Trust Company" hereinafter called "the Company." Incorporation. Corporate name.

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

Capital stock.

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

Head office.

4. The head office of the Company shall be at the city of Winnipeg in the province of Manitoba, and the directors may from time to time establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices.

Commencement of business.

5. The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been bona fide subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors.

6. The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum. At least five, and at no time less than two-thirds of such directors, shall be residents of the province of Manitoba.

Qualifications.

2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of the creditors, or comes within the operation of any insolvent law then in force or cease to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution signed by all directors.

3. The Company may, by by-law, provide that a resolution in writing signed by all the directors shall be valid as if it had been passed at a meeting of the directors.

Calls on stock.

7. Calls on stock may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent, and no call shall be made at a less interval than four months from the last preceeding call.

Business of Company.

8. The Company may—

Trust money.

(*a*) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

Trustee.

(*b*) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, adminstrator, trustee, accountant,

arbitrator, adjustor, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, such court, judge, officer or person may appoint the Company, with its consent, to hold such office or trust, and may substitute, if necessary, for any obligations required from a private person appointed to such offices such usual obligations as are applicable to corporations, and may fix the remuneration of the Company, take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

Agent.

(*c*) act as agent or attorney for winding-up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

Custodian.

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

Management of estates.

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

Remuneration.

(*f*) receive and collect such remuneration for its services as is agreed upon or as fixed from time to time or allowed by law, and all usual and customary charges, costs and expenses;

Investments.

(*g*) receive moneys for investment and allow interest thereon for a reasonable time until invested, and advance

moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities for debts.

(*h*) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights, privileges and concessions from governments.

(*i*) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Holding of real estate.

(*j*) hold such real estate as is necessary for the transaction of its business, not exceeding the value of one million dollars, and any further real estate of whatever value which being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Power to courts, etc. to appoint the Company to act.

9. In all cases where application is made to any court, judge, officer, or person having authority of to make an appointment to any office or trust, such court, judge, officer, or person, may appoint the Company, with its consent, to hold such office or trust, and may substitute, if necessary, for any obligations required from any private person appointed to such office or trust, such obligations as are applicable to corporations, and may fix the remuneration of the Company; and in respect of any such appointment by any such court or judge, the Company shall be subject at all times to the orders, judgments and decrees thereof, and shall render such verified statements, accounts and receipts as may be required by law or shall be ordered with reference thereto.

Remuneration.

Subjection to orders.

Statements.

Investment of trust moneys.

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

Mortgages of real estate.

(*a*) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral

security thereto: Provided however that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities.

(*b*) in the stock, funds or government securities of Canada or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds or debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom or of any of the colonies or dependencies thereof;

Securities specified by trust.

(*c*) in such securities as are authorized by the terms of the trust.

As authorized by provincial laws.

(*d*) trust funds belonging to any estate or trust which is being administered in any province, may be invested in securities in which trustees are authorized by the laws of such province to invest trust moneys.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form, or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order, or instrument creating the trust, provides otherwise.

Trust funds to be kept separate.

11. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 8 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said

Investment of trust monies.

general trust fund shall not at any time exceed three thousand dollars.

Investment of moneys of Company.

12. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 9 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient.

Accounts to be rendered by Company when made trustee by court.

13. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may, from time to time, require the Company to render an acount of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Application of R.S., c. 79.

14. Part II of *The Companies Act*, except sections 125, 141, and 165, thereof, shall apply to the Company.

Power to sell undertaking.

15. The Company shall have power to sell, lease or otherwise dispose of the undertaking of the Company and its rights and properties, for such consideration as the Company may think fit.

Note issue prohibited.

Banking and insurance prohibited.

16. Nothing in this Act shall be constructed to authorize the Company to issue any note payable to bearer or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance.

Annual statement to Minister of Finance.

17. The Company shall prepare, and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president or vice-president, and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

2. If the Company for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty. Penalty for neglect.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years. Forfeiture of charter by non-user.

FIRST REPRINT.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

T2.

An Act to incorporate The British-American Trust Company.

Reprinted with amendments proposed by the Department of Finance.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL T2.

AS PASSED BY THE SENATE 18th MARCH, 1912.

An Act to incorporate The British-American Trust Company.

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

1. Robert Richardson Muir, merchant, Edward Borden Reese, electrical engineer, David Low Mather, gentleman, Arthur Edward Muir, merchant, and William Redford Mulock, King's counsel, all of the city of Winnipeg in the province of Manitoba, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The British-American Trust Company" hereinafter called "the Company." Incorporation. Corporate name.

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

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

Head office.

4. The head office of the Company shall be at the city of Winnipeg in the province of Manitoba, and the directors may from time to time establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices.

Commencement of business.

5. The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been *bonâ fide* subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors.

6. The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum. At least five, and at no time less than two-thirds of such directors, shall be residents of the province of Manitoba.

Qualifications.

2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of the creditors, or comes within the operation of any insolvent law then in force or cease to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution signed by all directors.

3. The Company may, by by-law, provide that a resolution in writing signed by all the directors shall be valid as if it had been passed at a meeting of the directors.

Calls on stock.

7. Calls on stock may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent, and no call shall be made at a less interval than four months from the last preceeding call.

Business of Company.

8. The Company may—

Trust money.

(*a*) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

Trustee.

(*b*) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, adminstrator, trustee, accountant, arbitrator, adjustor, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; take, hold and accept by grant, assignment,

transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

Agent.

(*c*) act as agent or attorney for winding-up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

Custodian.

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

Management of estates.

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

Remuneration.

(*f*) receive and collect such remuneration for its services as is agreed upon or as fixed from time to time or allowed by law, and all usual and customary charges, costs and expenses;

Investments.

(*g*) receive moneys for investment and allow interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities for debts.

(*h*) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights, privileges and concessions from governments.

(*i*) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Holding of real estate.

(*j*) hold such real estate as is necessary for the transaction of its business, not exceeding the value of one million dollars, and any further real estate of whatever value which being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Power to the Company to act when appointed by court, etc.

9. In all cases where application is made to any court, judge, officer, or person having authority to make an appointment to any office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from any private person appointed to such office or trust, of such obligations as are applicable to corporations, and with such remuneration as may be fixed; and in respect of any such appointment by any such court or judge, the Company shall be subject at all times to the orders, judgments and decrees thereof, and shall render such verified statements, accounts and receipts as may be required by law or shall be ordered with reference thereto.

Remuneration.

Subjection to orders.

Statements.

Investment of trust moneys.

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

Mortgages of real estate.

(*a*) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided however that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities.

(*b*) in the stock, funds or government securities of Canada or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds or debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom or of any of the colonies or dependencies thereof;

Securities specified by trust.

(*c*) in such securities as are authorized by the terms of the trust.

(*d*) trust funds belonging to any estate or trust which is being administered in any province, may be invested in securities in which trustees are authorized by the laws of such province to invest trust moneys. As authorized by provincial laws.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form, or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order, or instrument creating the trust, provides otherwise. Existing securities.

11. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 10 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not at any time exceed three thousand dollars. Trust funds to be kept separate. Investment of trust monies.

12. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 10 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient. Investment of moneys of Company.

13. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may, from time to time, require the Company to render an acount of its administration of the particular trust or office to which it has been Accounts to be rendered by Company when made trustee by court.

Investigations.

appointed, and may from time to time appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Application of R.S., c. 79.

14. Part II of *The Companies Act*, except sections 125, 141, and 165 thereof, shall apply to the Company.

Amalgamation powers.

Approval by Governor in Council.

15. The Company may, subject to the approval of the Governor in Council, upon the recommendation of The Treasury Board, amalgamate with any other company having objects similar in whole or in part to those of the Company, or any part thereof, if such other company is authorized to amalgamate with the Company; and such amalgamation may be by deed, which shall set forth such details as are deemed necessary to perfect the amalgamated company; but the same shall not affect such amalgamation until it shall have been submitted to and approved of by the shareholders of both companies, at meetings of such shareholders respectively, duly called for such purpose, and approved by a vote of not less than two-thirds in value of those then present or represented by proxy at each such meeting; and by such deed of amalgamation the proportion of stock which shall be represented by each company shall be settled, and provision may be made for giving the voting power to the shareholders of each of the companies as shall be entitled thereto; and by such deed, the mode of appointing the next board of directors shall be established; notice of the application for approval of the amalgamation shall be given by advertisement published in two consecutive issues of *The Canada Gazette*, and thereafter, and upon the same being approved of by the Governor in Council, the said other company shall be deemed to be and shall be amalgamated with the Company, and the undertaking and all the powers, rights, franchises, authorities and privileges, and all the property and assets of the other company, party to such amalgamation, shall *ipso facto* be possessed by and be vested in the Company, in such manner and to the same extent as if they had been originally conferred on or granted to, or acquired by it, but subject to all the liabilities, contracts, disabilities and duties of the said companies; and all debts due and owing by or to the companies, parties to such amalgamation, shall become due and owing to or by the Company in such manner as if they had been originally contracted by it. A duplicate of the said deed so approved of shall be filed in the office of The Secretary of State (no registration or filing in any other office being required) and notice of such approval shall forthwith be published in two

Notice of application for approval.

Effect of approval.

Notice of approval.

consecutive issues of *The Canada Gazette*. In the event that any company which may be amalgamated with the Company pursuant hereto has any power, right, franchise, authority or privilege, similar to any of those of the Company but exerciseable upon different terms and conditions, the Company may exercise the same upon the terms and conditions prescribed in the case of either constituent company. The approval of the Governor in Council to any such amalgamation shall be *prima facie* evidence that all the conditions and formalities connected with the said amalgamation have been complied with.

Effect as evidence.

16. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance.

Note issue prohibited.

Banking and insurance prohibited.

17. The Company shall prepare, and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president or vice-president, and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

Annual statement to Minister of Finance.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

Penalty for neglect.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years.

Forfeiture of charter by non-user.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL U2.

An Act for the relief of Alvena Bell Leaitch.

WHEREAS Alvena Bell Leaitch, presently residing at the city of Toronto, in the province of Ontario, wife of James Leaitch, formerly of the village of Salem, in the said province, has by her petition alleged, in effect, that they were lawfully married on the twenty-eighth day of June, A.D 1899, at the city of Niagara Falls, in the said province, she then being Alvena Bell Badgley, spinster; that the legal domicile of the said James Leaitch was then and is now in Canada; that at the said city of Niagara Falls, on or about the twenty-first day of January, A.D. 1911, the said James Leaitch unlawfully went through a ceremony of marriage with one Mary Alice Warren, she not knowing him to be a married man, and afterwards lived in adultery with the said Mary Alice Warren at the said city of Niagara Falls, and on or about the fifth day of June, 1911, was convicted of bigamy before the police magistrate at the said city of Niagara Falls; that the said Alvena Bell Leaitch has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between Alvena Bell Badgley and James Leaitch, her husband, is hereby dissolved, and shall be Marriage dissolved.

henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Alvena Bell Badgley may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Leaitch had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

U 2

An Act for the relief of Alvena Bell Leaitch.

Received and read a first time

Thursday, 7th March, 1912.

Second reading

Tuesday, 12th March, 1912.

HONOURABLE MR. BAIRD.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL U2.

AS PASSED BY THE SENATE, 13th MARCH, 1912.

An Act for the relief of Alvena Bell Leaitch.

WHEREAS Alvena Bell Leaitch, presently residing at the city of Toronto, in the province of Ontario, wife of James Leaitch, formerly of the village of Salem, in the said province, has by her petition alleged, in effect, that they were lawfully married on the twenty-eighth day of June, A.D 1899, at the city of Niagara Falls, in the said province, she then being Alvena Bell Badgley, spinster; that the legal domicile of the said James Leaitch was then and is now in Canada; that at the said city of Niagara Falls, on or about the twenty-first day of January, A.D. 1911, the said James Leaitch unlawfully went through a ceremony of marriage with one Mary Alice Warren, she not knowing him to be a married man, and afterwards lived in adultery with the said Mary Alice Warren at the said city of Niagara Falls, and on or about the fifth day of June, 1911, was convicted of bigamy before the police magistrate at the said city of Niagara Falls; that the said Alvena Bell Leaitch has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between Alvena Bell Badgley and James Leaitch, her husband, is hereby dissolved, and shall be Marriage dissolved.

henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Alvena Bell Badgley may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Leaitch had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL V2.

An Act for the relief of Isabella Helen Horncastle.

Preamble.

WHEREAS Isabella Helen Horncastle, presently residing at the city of Toronto, in the province of Ontario, wife of John Daniel Horncastle, of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of December, A.D. 1887, at the city of Montreal, in the province of Quebec, she then being Isabella Helen Smith, spinster; that the legal domicile of the said John Daniel Horncastle was then and is now in Canada; that on or about the fourteenth day of July, A.D. 1911, he committed adultery with a woman whose name is unknown, at the Albion Hotel in the said city of Toronto; that the said Isabella Helen Horncastle has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Isabella Helen Smith and John Daniel Horncastle, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Isabella Helen Smith may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Daniel Horncastle had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

V2.

An Act for the relief of Isabella Helen Horncastle.

Received and read a first time,

Thursday, 7th March, 1912.

Second reading,

Wednesday, 13th March, 1912.

Honourable Mr. Roche.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL V2.

AS PASSED BY THE SENATE 14th MARCH, 1912.

An Act for the relief of Isabella Helen Horncastle.

Preamble.

WHEREAS Isabella Helen Horncastle, presently residing at the city of Toronto, in the province of Ontario, wife of John Daniel Horncastle, of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of December, A.D. 1887, at the city of Montreal, in the province of Quebec, she then being Isabella Helen Smith, spinster; that the legal domicile of the said John Daniel Horncastle was then and is now in Canada; that on or about the fourteenth day of July, A.D. 1911, he committed adultery with a woman whose name is unknown, at the Albion Hotel in the said city of Toronto; that the said Isabella Helen Horncastle has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Isabella Helen Smith and John Daniel Horncastle, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Isabella Helen Smith may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Daniel Horncastle had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W2.

An Act to incorporate Capital Trust Corporation, Limited.

Preamble

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

1. Michael J. O'Brien, contractor, William J. Poupore, contractor, both of the city of Montreal, Michael J. Haney, contractor, John J. Seitz, manufacturer, Richard P. Gough, merchant, all of the city of Toronto, George P. Brophy, civil engineer, Charles A. McCool, lumberman, William H. McAuliffe, lumberman, Louis N. Poulin, merchant, John J. Lyons, contractor, Alphonse E. Provost, merchant, Denis Murphy, gentleman, all of the city of Ottawa, the Honourable William McDonald, of Cape Breton in the province of Nova Scotia, Senator, Edmund William Tobin, of the United counties of Richmond and Wolfe, in the province of Quebec, lumber dealer, the Honourable Peter McSweeney, of the county of Northumberland, in the province of New Brunswick, Senator, and the Honourable Albert Edward McPhillips, of the city of Victoria, in the province of British Columbia, barrister-at-law, together with such other persons as become shareholders of the company, are hereby incorporated under the name of "Capital Trust Corporation, Limited," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall constitute a quorum for the transaction of business; and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed, and receive payments thereon. All moneys received on account of shares subscribed, or otherwise received on account of the Company, shall be forthwith deposited by the provisional directors to the credit of the Company in a chartered bank in Canada and such moneys may be withdrawn only for the purposes of the Company. The provisional directors may also do all acts necessary for the proper organization of the Company.

Powers.

Capital stock.

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

Increase of capital stock.

2. The directors may, after ninety per cent of the capital stock has been subscribed for and fifty per cent paid in thereon, increase the amount of the capital stock to any amount which they consider requisite for the due carrying out of the objects of the Company, but this increase shall not take place until the by-law of the board of directors for that purpose has been approved by the votes of shareholders representing at least two-thirds in value of all the subscribed stock of the Company at a special general meeting of the Company duly called for considering the same, and afterwards by the Governor General in Council.

By-law.

Approval.

Head office.

4. The head office of the Company shall be at the city of Ottawa, in the county of Carleton and province of Ontario, but the directors may from time to time establish branch offices and local advisory boards at other places in Canada or elsewhere.

Branch offices.

Commencement of business.

5. The Company shall not commence business until at least two hundred thousand dollars of the capital stock have been *bona fide* subscribed, and seventy-five thousand dollars paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

Directors.

6. The affairs of the Company shall be managed by a board of directors, and the number of the members thereof not less than five or more than twenty-five shall be fixed by by-law of the directors and confirmed by a resolution of the shareholders of the Company called for that purpose. A majority of the members of the board of directors shall form a quorum for the transaction of business.

Number.

Quorum.

2. The directors may, from time to time, pass by-laws respecting the qualification, in addition to the qualification required by section 127 of *The Companies Act*, election, term of office and removal from office of the directors and officers of the Company: Provided that no by-law amending, altering or repealing any such by-law or any by-law passed under the provisions of section 9 of this Act shall be acted upon until approved of by resolution of the holders of ninety per centum of the allotted shares of the capital of the Company present in person or by proxy at a general meeting of the shareholders of the Company duly called for considering such by-law.

Qualification.

Election, term of office, etc of directors and officers.

Approval of by-laws for such and other purposes.

3. The Company may by by-law provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Validity of resolution signed by all directors.

7. At any time when the number of the directors of the Company exceeds ten, the shareholders may, at a general meeting called for that purpose, by a resolution of two-thirds of the shareholders present in person or by proxy, authorize the directors to delegate any of their powers, which shall be particularly set out in such resolution, to an executive committee consisting of not less than five to be elected by the directors from their number. Any committee so formed shall in the exercise of the powers so delegated conform to any requirements that may be imposed on them by such resolution or by the directors.

Delegation of the directors' powers to executive committee.

8. Calls on shares may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent, and no call shall be made at a less interval than one month from the last preceding call.

Calls on stock.

9. The provisional directors or the directors may from time to time pass by-laws limiting and restricting the transferability of shares of the Company, whether fully paid or not: Provided, however, that such restriction and limitation shall not attach to any shares unless a reference to the by-law imposing such restriction or limitation is made in the certificate thereof, nor unless the holder of such shares has express notice of such restriction or limitation.

By-laws as to transferability of shares.

Proviso, as to condition of effect.

10. The Company may—

(*a*) accept and execute trusts of every description and nature entrusted to the Company by any government, corporation or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor,

Business of Company

Trust money.

Truste

receiver, assignee, liquidator, sequestrator, guardian, curator or committee of a lunatic; and perform the duties of such offices or trusts as fully and completely as any natural person so appointed could do; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established, or agreed upon; receive moneys for investment, and allow interest thereon until invested, and guarantee repayment of the principal or payment of the interest, or both, of any moneys so entrusted to the Company, on such terms and conditions as are agreed upon; act as agents for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government, corporate body or person;

Agent.

(*b*) act as agent or attorney for winding up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

Custodian.

(*c*) act as the custodian of any jewellery, plate and other valuable property, and of deeds, wills, debentures, and other evidence of title or indebtedness;

Management of estates.

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

Rights, privileges and concessions from governments.

(*e*) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain; and carry out, exercise and comply with any such rights, privileges and concessions not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate which may be held.

(*f*) hold such real estate as is necessary for the transaction of its business not exceeding the net yearly value of fifteen thousand dollars, and any further real estate of whatever value which being mortgaged or hypothecated to it, is required by it for the protection of its investments, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity,

within seven years after such acquisition; unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada;

Employees' benefit associations, pensions, etc.

(*g*) establish and support or aid in the establishment and support of associations, institutions, funds trusts and conveniences calculated to benefit employees or ex-employees of the Company, or the dependants or connections of such persons, and grant pensions and allowances, and make payments towards insurance, and subscribe or guarantee money for charitable or benevolent objects, or for any exhibition or for any public, general or useful object;

Subscriptions for charities, exhibitions, etc.

Investment of trust moneys.

11. The Company shall invest trust moneys as follows—

Mortgages of real estate.

(*a*) upon first mortgages of or hypothecs upon improved freehold property with personal property or covenants by way of collateral security thereto; Provided, however, that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities.

(*b*) in the government securities of Canada, or of any province of Canada, or of any foreign country, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in Canada other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such provinces;

Securities specified by trusts.

(*c*) in such securities as are authorized by the terms of the trust;

and the Company may manage, sell or dispose of such investments as the terms of the trust require.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, order, or instrument creating the trust provides otherwise.

Trust funds to be kept separate.

12. The moneys and securities held by the Company in trust shall always be kept distinct from those of the Company, and in separate accounts and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that trust moneys shall not at any

time form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent, and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 11 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Investment of funds.

Trust property not liable for debts of Company.

13. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Investment of moneys of Company.

14. The Company may invest any moneys forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 11 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock or other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient.

Accounts to be rendered by Company when made trustee by court.

15. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer, or person may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed and may, from time to time, appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held; and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Note issue prohibited.

16. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

17. The powers and authority hereby granted to the Company shall be exercised in any province subject to the laws of such province in that behalf, and shall not have any force or effect in any province in any respect in which they are inconsistent with the laws of that province. Banking prohibited. Provincial law to govern.

18. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statements shall be made up to the thirty-first day of December in each year. Annual statement to be given to Minister of Finance.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty. Penalty for neglect.

19. Part II, of *The Companies Act*, except sections 125, 128, 129, 141 and 165 thereof, shall apply to the Company. R. S., c. 79.

20. The powers granted by this Act shall expire, and this Act shall cease to be in force at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years. Forfeiture of charter by non-user.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

W2

An Act to incorporate Capital Trust Corporation, Limited.

Received and read a first time,

Friday, 8th March, 1912.

Second reading,

Wednesday, 13th March, 1912.

Honourable MR. MCSWEENY.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL W2.

AS PASSED BY THE SENATE, 21st MARCH, 1912.

An Act to incorporate Capital Trust Corporation, Limited.

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

1. Michael J. O'Brien, contractor, William J. Poupore, contractor, both of the city of Montreal, Michael J. Haney, contractor, John J. Seitz, manufacturer, Richard P. Gough, merchant, all of the city of Toronto, George P. Brophy, civil engineer, Charles A. McCool, lumberman, William H. McAuliffe, lumberman, Louis N. Poulin, merchant, John J. Lyons, contractor, Alphonse E. Provost, merchant, Denis Murphy, gentleman, all of the city of Ottawa, the Honourable William McDonald, of Cape Breton in the province of Nova Scotia, Senator, Edmund William Tobin, of the United counties of Richmond and Wolfe, in the province of Quebec, lumber dealer, the Honourable Peter McSweeney, of the county of Westmoreland, in the province of New Brunswick, Senator, and the Honourable Albert Edward McPhillips, of the city of Victoria, in the province of British Columbia, barrister-at-law, together with such other persons as become shareholders of the company, are hereby incorporated under the name of "Capital Trust Corporation, Limited," hereinafter called "the Company." Incorporation. Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall constitute a quorum for the transaction of business; and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed, and receive payments thereon. All moneys received on account of shares subscribed, or otherwise received on account of the Company, shall be forthwith deposited by the provisional directors to the credit of the Company in a chartered bank in Canada and such moneys may be withdrawn only for the purposes of the Company. The provisional directors may also do all acts necessary for the proper organization of the Company.

Powers.

Capital stock.

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

Head office.

4. The head office of the Company shall be at the city of Ottawa, in the county of Carleton and province of Ontario, but the directors may from time to time establish branch offices and local advisory boards at other places in Canada or elsewhere.

Branch offices.

Commencement of business.

5. The Company shall not commence business until at least two hundred and fifty thousand dollars of the capital stock have been *bona fide* subscribed, and one hundred thousand dollars paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

Directors.

Number.

6. The affairs of the Company shall be managed by a board of directors, and the number of the members thereof not less than five or more than twenty-five shall be fixed by by-law of the directors and confirmed by a resolution of the shareholders of the Company called for that purpose.

Qualification.

2. The directors may, from time to time, pass by-laws respecting the qualification, in addition to the qualification required by section 127 of *The Companies Act,* election and term of office of the directors and officers of the Company: Provided that no by-law amending, altering or repealing any such by-law or any by-law passed under the provisions of section 8 of this Act shall be acted upon until approved of by resolution of the holders of ninety per centum of the allotted shares of the capital of the Company present in person or by proxy at a general meeting of the shareholders of the Company duly called for considering such by-law.

Election, term of office, etc of directors and officers.

Approval of by-laws for such and other purposes.

Validity of resolution signed by all directors.

3. The Company may by by-law provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

7. Calls on shares may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent, and no call shall be made at a less interval than one month from the last preceding call. Calls on stock.

8. The provisional directors or the directors may from time to time pass by-laws limiting and restricting the transferability of shares of the Company, whether fully paid or not: Provided, however, that such restriction and limitation shall not attach to any shares unless a reference to the by-law imposing such restriction or limitation is made in the certificate thereof, nor unless the holder of such shares has express notice of such restriction or limitation. By-laws as to transferability of shares. Proviso, as to condition of effect.

9. The Company may— Business of Company

(*a*) accept and execute trusts of every description and nature entrusted to the Company by any government, corporation or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, guardian, curator or committee of a lunatic; and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established, or agreed upon; receive moneys for investment, and allow interest thereon for a reasonable time until invested, and guarantee repayment of the principal or payment of the interest, or both, of any moneys so entrusted to the Company, on such terms and conditions as are agreed upon; act as agents for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body; Trust money. Trustee.

(*b*) act as agent or attorney for winding up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency; Agent.

(*c*) act as the custodian, upon such terms as are agreed upon, of any jewellery, plate and other valuable pro- Custodian.

perty, and of deeds, wills, debentures, and other evidence of title or indebtedness;

Management of estates.

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

Rights, privileges and concessions from governments.

(*e*) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain; and carry out, exercise and comply with any such rights, privileges and concessions not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate which may be held.

(*f*) hold such real estate as is necessary for the transaction of its bus ness not exceeding the net yearly value of fifteen thousand dollars, and any further real estate of whatever value which being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition; unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of trust moneys.

10. The Company shall invest trust moneys as follows—

Mortgages of real estate.

(*a*) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto; Provided, however, that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities.

(*b*) in the government securities of Canada, or of any province of Canada, or of the United Kingdom, or of any of the colonies or dependencies thereof, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in Canada other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such provinces;

Securities specified by trusts.

(*c*) in such securities as are authorized by the terms of the trust;

and the Company may manage, sell or dispose of such investments as the terms of the trust require.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obliga-

tions attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, order, or instrument creating the trust provides otherwise.

Trust funds to be kept separate.

11. The moneys and securities held by the Company in trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that trust moneys shall not at any time form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent, and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 10 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Investment of funds.

Trust property not liable for debts of Company.

12. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Investment of moneys of Company.

13. The Company may invest any moneys forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 10 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock or other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient.

Accounts to be rendered by Company when made trustee by court.

14. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge officer, or person may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed and may, from time to time, appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held; and such person shall

report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Note issue prohibited.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

Banking prohibited.

Annual statement to be given to Minister of Finance.

16. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statements shall be made up to the thirty-first day of December in each year.

Penalty for neglect.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

R. S., c. 79.

17. Part II, of *The Companies Act*, except sections 125, 141 and 165 thereof, shall apply to the Company.

Forfeiture of charter by non-user.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL X2.

An Act respecting the Imperial Loan and Investment Company of Canada, Limited.

Preamble.

WHEREAS The Imperial Loan and Investment Company of Canada, Limited, incorporated by chapter 116 of the statutes of 1899, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1899, c. 116.
1904, c. 86.

Capital increased.

1. The capital stock of the said company, which is now one million dollars, is hereby increased to three million dollars.

Shares divisible into classes.

2. The shares in the capital stock may be divided into several classes with any preferential, special, qualified, deferred or limited rights or conditions as regards dividends, capital, voting or otherwise, attached thereto; and the directors of the company may make by-laws from time to time for creating and issuing any of such classes of shares and regarding all matters connected therewith.

By-laws for creation and issue.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

X2.

An Act respecting the Imperial Loan and Investment Company of Canada, Limited.

Received and read a first and second times,

Friday, 8th March, 1912.

Honourable Mr. Kerr.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL X2.

AS PASSED BY THE SENATE, 25th MARCH, 1912.

An Act respecting the Imperial Loan and Investment Company of Canada.

WHEREAS The Imperial Loan and Investment Company of Canada, incorporated by chapter 116 of the statutes of 1899, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1899, c. 116. 1904, c. 86.

1. Section 2 of chapter 116 of the statutes of 1899 is hereby repealed and the following is substituted therefor:— 1899, c. 116, s. 2 amended.

"**2.** The capital stock of the new Company shall be three million dollars divided into thirty thousand shares of one hundred dollars each." Capital stock.

2. This Act shall not come into force until such date as is appointed by proclamation by the Governor in Council. Commencement of Act.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Y2.

An Act to consolidate and amend the Acts relating to The Dominion Guarantee Company, Limited, and to change its name to "The Dominion-Gresham Guarantee and Casualty Company".

Preamble.

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

Repeal.

1. The Acts enumerated in the Schedule to this Act are hereby repealed and the provisions of this Act are substituted therefor.

Change of corporate name.

2. The name of the Dominion Guarantee Company Limited is hereby changed to "The Dominion-Gresham Guarantee and Casualty Company," hereinafter called "the Company."

Business powers.

3. The Company may—

Burglary insurance.

(*a*) make contracts of guarantee against loss or damage, by reason of burglary, house breaking, theft or robbery, to property of any kind whether at rest or in transit from place to place; and for such purpose may issue policies in such form as it determines;

Form of policies.

Title insurance.

(*b*) guarantee the title to, or the quiet enjoyment of, property, either absolutely or subject to any qualifications and conditions, and may guarantee any person interested in or about to become interested in, or owning, or about to purchase, or acquire, any real property, against any

losses, actions, proceedings, claims or demands by reason of any insufficiency or imperfection or deficiency of title, or in respect of encumbrances, burdens or outstanding rights; and may guarantee the due payment of the whole or part of any loan, advance, mortgage, or claim, hypothecary or otherwise, or the interest thereon; and may issue its guarantee certificates or policies in such form as it determines and for such remuneration as it fixes;

Form of certificates or policies.

Other kinds of insurance.

(*c*) carry on the following businesses as defined by *The Insurance Act*, 1910, namely:—

(i) guarantee insurance;

(ii) sickness insurance;

(iii) accident insurance;

(iv) automobile insurance;

Premiums.

2. The Company may charge such premium for any risk undertaken by it as is agreed upon by the contract of insurance against such risk.

Powers for protection of property.

4. The Company may, at any places in Canada where the Company sees fit so to do, for the purpose of protecting property against loss or damage,—

Alarm systems.

"(i) construct, install, equip, maintain, and operate by electrical or any other means, whether inside or outside of buildings, any system of detection, alarm or communication, by electric wires or otherwise;

Patrol services.

"(ii) establish, equip, maintain and operate services of patrol and watch by persons wearing either uniform or ordinary clothing;

Plant, etc.

"(iii) manufacture, acquire, and dispose of all plant, equipment, implements, instruments, articles, devices and things necessary or expedient for such systems and services.

Messenger services.

5. The Company may establish, acquire, maintain and operate messenger and attendance services.

Safety vaults.

6. The Company may establish safety vaults, in connection with its business, for the purpose of receiving, guarding, caring for, and guaranteeing against loss or damage any property deposited with it.

Consent of municipalities and conditions as to works on highways, etc.

7. Section 247 of *The Railway Act* shall apply to the Company and to any works in course of construction, constructed, acquired, maintained or operated for any of the purposes mentioned in sections 4, 5 and 6 of this Act.

R.S., c. 37, s. 247.

No expropriation.

2. Nothing in this Act contained shall be deemed to authorize the Company, its servants, workmen or agents, to exercise any right of expropriation or to enter upon

any private property for the purpose of constructing, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being. Consent of owner to enter on property.

8. The Company may construct, acquire, maintain, operate, and dispose of any and all patents, appliances and structures used or to be used in connection with any of the businesses mentioned in sections 4, 5 and 6 of this Act. Appliances and structures.

9. The capital stock of the Company shall be two hundred thousand dollars, divided into shares of one hundred dollars each; but after the whole amount of the capital stock has been subscribed for, and fifty per cent paid thereon, the Company may increase the capital stock to an amount not exceeding one million dollars, provided that such increase and the amount thereof 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 original stock are present in person or represented by proxy. Capital stock. Increase. Consent of shareholders.

10. The annual general meeting of the shareholders shall be held on the third Wednesday in February in each year, or at such other date in each year as is fixed by by-law passed at any annual general meeting or at any special meeting of shareholders duly called for that purpose. Annual meeting.

11. At such meeting the subscribers for the capital stock who have paid all calls due on their shares shall elect the directors of the Company. Election of directors.

2. The number of directors shall be not less than five nor more than nine, as may be determined by by-law of the Company. Number.

3. No person shall be elected or continue to be a director unless he is a shareholder holding at least ten shares of stock and has paid all calls due thereon. Qualification.

4. A majority of the directors shall be a quorum. Quorum.

12. The head office of the Company shall be in the City of Montreal, 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.

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

Power to motrgage property.

14. If the mortgage or hypothecation of any real property lawfully acquired or held by the Company is necessary or requisite for the carrying on of any of the undertakings of the Company, the Company may mortgage or hypothecate such property.

Borrowing Powers.

15. If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

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

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

Issue of bonds.

(*c*) issue bonds, debentures or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient: Provided that such bonds, debentures or other securities may be for sums not less than twenty pounds sterling, five hundred francs, or four hundred marks, or for sums not less than the nearest equivalent in round figures of other money to one hundred dollars in Canadian currency;

Issue of bonds in foreign currency.

Hypothecation.

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

Limitation as to bills and notes.

2. Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Power to amalgamate with similar companies.

16. The Company may, by agreement, at any time amalgamate with any company empowered to carry on a business like or similar, in whole or in part, to that of the Company, and may acquire the stock of such company, or the plant, property, assets and goodwill of any person carrying on, or empowered to carry on, a business like or similar, in whole or in part, to that of the Company; and the said stock, plant, property, assets and good-will may be paid for wholly or partly in cash, or wholly or partly in paid up or partly paid up stock of the Company, or wholly or partly in debentures of the Company, or otherwise; and the Company may undertake, assume, guarantee and pay off any of the obligations, liabilities, contracts and engagements of any company it amalgamates with, or whose stock it acquires, or of any person, whose plant, property, assets and good-will it acquires; provided that such agreement has been first approved by two-thirds of the votes of a special general meeting of the shareholders

Approval of 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 or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

17. *The Insurance Act*, 1910, shall apply to the Company. 1910, c. 32 to apply.

18. Notwithstanding anything contained in *The Companies Act*, Part II thereof, except sections 125, 165 and 168 thereof, in so far as it is not inconsistent with any of the provisions of this Act, shall apply to the Company. Application of R.S. c. 79.

SCHEDULE.

ACTS REPEALED.

1893.	Chapter 78	An Act to incorporate the Dominion Burglary Guarantee Company (Limited).
1894.	Chapter 121	An Act respecting the Dominion Burglary Guarantee Company (Limited.)
1901.	Chapter 95	An Act respecting the Dominion Burglary Guarantee Company (Limited).
1903.	Chapter 113	An Act respecting the Dominion Burglary Guarantee Company, Limited, and to change its name to "The Dominion Guarantee Company, Limited."
1908.	Chapter 102	An Act respecting the Dominion Guarantee Company, Limited.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

Y$_2$

An Act to consolidate and amend the Acts relating to The Dominion Guarantee Company, Limited, and to change its name to "The Dominion-Gresham Guarantee and Casualty Company.

Received and read a first time

Tuesday, 12th March, 1912.

Second reading

Thursday, 14th March, 1912.

Honourable MR. CASGRAIN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Y2.

AS PASSED BY THE SENATE, 21st MARCH, 1912.

An Act to consolidate and amend the Acts relating to The Dominion-Gresham Guarantee and Casualty Company.

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

1. The Acts enumerated in the Schedule to this Act are hereby repealed and the provisions of this Act are substituted therefor. Repeal.

2. The Dominion-Gresham Guarantee and Casualty Company, formerly "The Dominion Guarantee Company, Limited," is hereinafter called "the Company". Interpretation.

3. The Company may— Business powers.

(*a*) make contracts of guarantee against loss or damage, by reason of burglary, house breaking, theft or robbery, to property of any kind whether at rest or in transit from place to place; and for such purpose may issue policies in such form as it determines; Burglary insurance. Form of policies.

(*b*) carry on the following businesses as defined by *The Insurance Act*, 1910, namely:— Other kinds of insurance.

(i) guarantee insurance;

(ii) sickness insurance;

(iii) accident insurance;

(iv) automobile insurance;

Premiums.

2. The Company may charge such premium for any risk undertaken by it as is agreed upon by the contract of insurance against such risk.

Powers for protection of property.

4. The Company may, at any places in Canada where the Company sees fit so to do, for the purpose of protecting property against loss or damage,—

Alarm systems.

"(i) construct, install, equip, maintain, and operate by electrical or any other means, whether inside or outside of buildings, any system of detection, alarm or communication, by electric wires or otherwise;

Patrol services.

"(ii) establish, equip, maintain and operate services of patrol and watch by persons wearing either uniform or ordinary clothing;

Plant, etc.

"(iii) manufacture, acquire, and dispose of all plant, equipment, implements, instruments, articles, devices and things necessary or expedient for such systems and services.

Messenger services.

5. The Company may establish, acquire, maintain and operate messenger and attendance services.

Safety vaults.

6. The Company may establish safety vaults, in connection with its business, for the purpose of receiving, guarding, caring for, and guaranteeing against loss or damage any property deposited with it.

Consent of municipalities and conditions as to works on highways, etc.

7. Section 247 of *The Railway Act* shall apply to the Company and to any works in course of construction, constructed, acquired, maintained or operated for any of the purposes mentioned in sections 4, 5 and 6 of this Act.

R.S., c. 37, s. 247.

No expropriation.

Consent of owner to enter on property.

2. Nothing in this Act contained shall be deemed to authorize the Company, its servants, workmen or agents, to exercise any right of expropriation or to enter upon any private property for the purpose of constructing, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being.

Appliances and structures.

8. The Company may construct, acquire, maintain, operate, and, when no longer required for the purposes of the Company, dispose of any and all patents, appliances and structures used or to be used in connection with any of the business mentioned in sections 4, 5 and 6 of this Act.

Capital stock.

9. The capital stock of the Company shall be two hundred thousand dollars, divided into shares of one hundred dollars each; but, after the whole amount of the capital stock has been subscribed and paid-up the Company may increase

Increase.

the capital stock to an amount not exceeding one million dollars, provided that such increase and the amount thereof has been first sanctioned by two-thirds, in value, of the shareholders present in person or represented by proxy 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 original stock are present in person or represented by proxy.

Consent of shareholders.

10. The annual general meeting of the shareholders shall be held on the third Wednesday in February in each year, or at such other date in each year as is fixed by by-law passed at any annual general meeting or at any special meeting of shareholders duly called for that purpose.

Annual meeting.

11. At such meeting the subscribers for the capital stock who have paid all calls due on their shares shall elect the directors of the Company.

Election of directors.

2. The number of directors shall be not less than five nor more than nine, as may be determined by by-law of the Company.

Number.

3. No person shall be elected or continue to be a director unless he is a shareholder holding at least ten shares of stock and has paid all calls due thereon.

Qualification.

4. A majority of the directors shall be a quorum.

Quorum.

12. The head office of the Company shall be in the City of Montreal.

Head office.

13. If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

Borrowing Powers.

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

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

2. Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Limitation as to bills and notes.

14. The Company may, by agreement, at any time amalgamate with any company empowered to carry on a business like or similar, in whole or in part, to that of the Company, and may acquire the stock of such company, or the plant, property, assets and goodwill of any person carrying on, or empowered to carry on, a business like or similar, in whole or in part, to that of the Company; and the said stock, plant, property, assets and good-will

Power to amalgamate with similar companies.

may be paid for wholly or partly in cash, or wholly or partly in paid up or partly paid up stock of the Company, or wholly or partly in debentures of the Company, or otherwise; and the Company may undertake, assume, guarantee and pay off any of the obligations, liabilities, contracts and engagements of any company it amalgamates with, or whose stock it acquires, or of any person, whose plant, property, assets and good-will it acquires; provided that such agreement has been first approved by two-thirds of the votes of 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 or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders.

1910, c. 32 to apply.

15. *The Insurance Act*, 1910, shall apply to the Company.

Application of R.S. c. 79.

16. Notwithstanding anything contained in *The Companies Act*, Part II thereof, except sections 125, 165 and 168 thereof, in so far as it is not inconsistent with any of the provisions of this Act, shall apply to the Company.

SCHEDULE.

ACTS REPEALED.

1893.	Chapter 78	An Act to incorporate the Dominion Burglary Guarantee Company (Limited).
1894.	Chapter 121	An Act respecting the Dominion Burglary Guarantee Company (Limited.)
1901.	Chapter 95	An Act respecting the Dominion Burglary Guarantee Company (Limited).
1903.	Chapter 113	An Act respecting the Dominion Burglary Guarantee Company, Limited, and to change its name to "The Dominion Guarantee Company, Limited."
1908.	Chapter 102	An Act respecting the Dominion Guarantee Company, Limited.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Z2.

An Act for the relief of George MacKay Sutherland.

Preamble.

WHEREAS George MacKay Sutherland, of the city of Toronto, in the province of Ontario, dentist, has by his petition alleged, in effect, that on the seventh day of October A.D. 1901, at the said city of Toronto, he was lawfully married to Annie Leo Snow; that she was then of the city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the twenty-third day of June, A.D. 1902, she committed adultery with one Kipp Huff; that the said George MacKay Sutherland has not connived at nor condoned the said adultery; that there has no been collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between George MacKay Sutherland and Annie Leo Snow, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said George MacKay Sutherland may at any time hereafter marry any women he might lawfully marry if the said marriage with the said Annie Leo Snow had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

Z_2

An Act for the relief of George MacKay Sutherland.

Received and read a first time

Tuesday, March 12, 1912.

Second reading

Friday, March 15, 1912.

Honourable MR. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL Z2.

AS PASSED BY THE SENATE 15th MARCH, 1912.

An Act for the relief of George MacKay Sutherland.

Preamble.

WHEREAS George MacKay Sutherland, of the city of Toronto, in the province of Ontario, dentist, has by his petition alleged, in effect, that on the seventh day of October A.D. 1901, at the said city of Toronto, he was lawfully married to Annie Leo Snow; that she was then of the city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the twenty-third day of June, A.D. 1902, she committed adultery with one Kipp Huff; that the said George MacKay Sutherland has not connived at nor condoned the said adultery; that there has no been collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act disoolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between George MacKay Sutherland and Annie Leo Snow, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said George MacKay Sutherland may at any time hereafter marry any women he might lawfully marry if the said marriage with the said Annie Leo Snow had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA

BILL A3.

An Act to incorporate The Canadian Central and Labrador Railway Company.

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

1. Edmond Decombe Porcheron, manager, Achille Bergevin, broker, both of the city of Montreal in the province of Quebec, Maxwell Stevenson Inglis, physician, John Hooey Ferguson, agent, Charles Valentine Lindsay, barrister, and Eber Atkin Dunfield, student, all of the city of Winnipeg in the province of Manitoba, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Canadian Central and Labrador Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders represent- Preference stock.

ing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock, as is declared by such resolution.

Rights of preference stock-holders.

2. Holders of such preference stock shall be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head Office.

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

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second Tuesday in September.

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from the city of Winnipeg in the province of Manitoba, thence in a north-easterly direction by the most feasible route to a point south of the mouth of Hamilton river on the boundary between the province of Quebec and Labrador, with branch lines from—

(*a*) a point at or near where the National Transcontinental railway crosses the boundary between the provinces of Ontario and Quebec, in a north-easterly direction to a point on the proposed line;

(*b*) from the city of Montreal in a north-easterly direction to a point on the proposed main line; and

(*c*) from at or near Port Nelson on Hudson bay to connect with the main line at a point at or near James bay in the province of Quebec.

Consent of municipalities.

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

Warehousing and forwarding business.

10. The Company may carry on the business of warehousemen, wharfingers and forwarders, and for the purposes

of such business may purchase, lease, construct, or otherwise acquire, hold, enjoy, and manage such lands, water lots, wharfs, docks, dockyards, slips, warehouses, elevators, equipment for the handling and storage of ore and coal, offices and other buildings as it finds necessary and convenient for its undertaking, and may charge wharfage and other dues for the use of any such property. Rates and charges.

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

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

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

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

13. The Company may, subject to the provisions of *The Railway Act*, and subject also to the orders of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and vehicles; and in such cases, the tolls to be charged for the passage of foot passengers and vehicles shall before being imposed, be first submitted to and approved of, and may be revised by the said Board; but the Company may, at any time, reduce such tolls, and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on the bridge. Railway bridges used for general traffic. Tolls and charges. Notices.

14. Subject to the provisions of section 361, 362 and 363 of *The Railway Act*, the Company may enter into Agreements with other companies.

agreements with all or any of the Companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Canadian Pacific Railway Company, The Canadian Northern Railway Company, and also with the Government of Canada as regards the railway to Hudson bay and The National Transcontinental Railway.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

A3.

An Act to incorporate The Canadian Central and Labrador Railway Company.

Received and read a first time,

Wednesday, 13th March, 1912.

Second reading,

Friday, 15th March, 1912.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL B3.

An Act respecting The St. Clair and Erie Ship Canal Company.

Preamble.

1899, c. 128; 1900 c. 119; 1902, c. 98; 1904, c. 122; 1906, c. 158; 1908, c. 153; 1910, c. 165.

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

Extension of time for construction of undertaking.

1910, c. 165, s. 1.

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

Repeal.

2. Section 1 of chapter 165 of the statutes of 1910 is hereby repealed.

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

B3.

An Act respecting The St. Clair and Erie Ship Canal Company.

Received and read first and second times

Wednesday, 13th March, 1912.

Honourable Mr. Gibson.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL B3.

AS PASSED BY THE SENATE 19th MARCH, 1912.

An Act respecting The St. Clair and Erie Ship Canal Company.

WHEREAS The St. Clair and Erie Ship Canal Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1899, c. 128; 1900 c. 119; 1902, c. 98; 1904, c. 122; 1906, c. 158; 1908, c. 153; 1910, c. 165.

1. The St. Clair and Erie Ship Canal Company may, within two years after the passing of this Act, commence the construction of its undertaking and expend ten per cent of the amount of its capital stock thereon; and may, within five years after the passing of this Act, complete the said undertaking and put it in operation; and if, within the said periods respectively, the said undertaking is not so commenced and such expenditure is not so made, or the said undertaking is not completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said undertaking as then remains uncompleted. Extension of time for construction of undertaking. 1910, c. 165 s. 1.

2. Section 1 of chapter 165 of the statutes of 1910 is hereby repealed. Repeal.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL C3.

An Act respecting Mexico North Western Transportation Company, Limited, and to change its name to Mexico North Western Pacific Railway Company.

Preamble.

WHEREAS Mexico North Western Transportation Company, Limited, has by its petition represented that it is incorporated by Letters Patent issued under *The Companies Act*, Chapter 79 of *The Revised Statutes*, 1906, and has prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

The Canada Gazette, March 9th, 1912.

Name changed.

1. The name of the said company, hereinafter called "the Company," is hereby changed to "Mexico North Western Pacific Railway Company," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Saving of rights.

Powers of Company in Mexico.

2. Subject to the laws in force in the United States of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States of Mexico, survey, lay out, construct, complete, equip, maintain and operate, and extend, remove, and change as required, double or single iron or steel railways and branches,

Railways.

Tramways.

Telegraphs.
Telephones.

Carriers.

Acquisition of properties of other companies.

side tracks, turnouts, and appurtenances, and tramways for the passage of cars, carriages, and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight, upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be

Liability of Company for entry without cancellation.

responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the

directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company. Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholders then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:— Particulars to be entered in register.

(*a*) The fact of the issue of the warrant;

(*b*) A statement of the share, or shares, included in the warrant;

(*c*) The date of the issue of the warrant;

and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder. Date of surrender to be entered.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered; and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force whether made before or after the issue of such warrant. Directors may vary conditions of issue.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

C3.

An Act respecting Mexico North Western Transportation Company, Limited, and to change its name to Mexico North Western Pacific Railway Company.

Received and read first and second times

Thursday, 14 March, 1912.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL C3.

AS PASSED BY THE SENATE MARCH 19th, 1912.

An Act respecting Mexico North Western Transportation Company, Limited, and to change its name to Mexico North Western Pacific Railway Company.

Preamble.

WHEREAS Mexico North Western Transportation Company, Limited, has by its petition represented that it is incorporated by Letters Patent issued under *The Companies Act*, Chapter 79 of *The Revised Statutes*, 1906, and has prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

The Canada Gazette, March 9th, 1912.

Name changed.

1. The name of the said company, hereinafter called "the Company," is hereby changed to "Mexico North Western Pacific Railway Company," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Saving of rights.

Powers of Company in Mexico.

2. Subject to the laws in force in the United States of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States of Mexico, survey, lay out, construct, complete, equip, maintain and operate, and extend, remove, and change as required, double or single iron or steel railways and branches,

Railways.

Tramways.

Telegraphs. Telephones.

Carriers.

Acquisition of properties of other companies.

side tracks, turnouts, and appurtenances, and tramways for the passage of cars, carriages, and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight, upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be

Liability of Company for entry without cancellation.

responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the

directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholders then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

Particulars to be entered in register.

(*a*) The fact of the issue of the warrant;

(*b*) A statement of the share, or shares, included in the warrant;

(*c*) The date of the issue of the warrant;

and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of surrender to be entered.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered; and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force whether made before or after the issue of such warrant.

Directors may vary conditions of issue.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL D3.

An Act respecting Alabama Traction, Light and Power Company, Limited.

Preamble.

WHEREAS Alabama Traction, Light and Power Company, Limited, hereinafter called "the Company," has by its petition represented that it is incorporated by Letters Patent issued under *The Companies Act*, chapter 79 of *The Revised Statutes*, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

The Canada Gazette, March 2nd, 1912.

Powers of Company in U. S. A.

1. Subject to the laws in force in the United States of America, and with such legislative, governmental, municipal and other authority, concession, license or consent as is necessary, the Company may, within the United States of America, survey, lay out, construct, complete, equip, maintain and operate, and extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turnouts and appurtenances, and tramways for the passage of cars, carriages, and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight, upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any

Railways.

Tramways.

Telegraphs.

Telephones.

Carriers.

of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Acqnisition of properties of other companies.

Issue of share warrants.

2. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

4. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

Warrant will not qualify bearer as director.

5. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act,* either to the full extent or for such purposes as are prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to be entered in register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share, or shares, included in the warrant;

(*c*) the date of the issue of the warrant;

and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of surrender to be entered.

7. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon may be issued in place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force whether made before or after the issue of such warrant.

Directors may vary conditions of issue.

8. The Company may guarantee the payment of the principal and interest, or part thereof, of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be in the form set out in the schedule to this Act, or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

Company may guarantee securities of other corporations controlled by it.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by Alabama Traction Light and Power Company, Limited (*here may be set out any special terms or conditions of the guarantee*).

For Alabama Traction Light and Power Company, Limited.

President (*or other officer duly authorized*).

1st Session, 12th Parliament, 2 George V., 1911–12

THE SENATE OF CANADA.

BILL

D3.

An Act respecting Alabama Traction, Light and Power Company, Limited.

Received and read first and second times

Thursday, 14 March, 1912.

Honourable MR. DANDURAND.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911–12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL D3.

AS PASSED BY THE SENATE 19th MARCH, 1912.

An Act respecting Alabama Traction, Light and Power Company, Limited.

Preamble.

WHEREAS Alabama Traction, Light and Power Company, Limited, hereinafter called "the Company," has by its petition represented that it is incorporated by Letters Patent issued under *The Companies Act*, chapter 79 of *The Revised Statutes*, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

The Canada Gazette, March 2nd, 1912.

Powers of Company in U. S. A.

1. Subject to the laws in force in the United States of America, and with such legislative, governmental, municipal and other authority, concession, license or consent as is necessary, the Company may, within the United States of America, survey, lay out, construct, complete, equip, maintain and operate, and extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turnouts and appurtenances, and tramways for the passage of cars, carriages, and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight, upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any

Railways.

Tramways.

Telegraphs.

Telephones

Carrier

of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Acqnisition of properties of other companies.

Issue of share warrants.

2. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

4. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

Warrant will not qualify bearer as director.

5. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to be entered in register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share, or shares, included in the warrant;

(*c*) the date of the issue of the warrant;

and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of surrender to be entered.

7. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon may be issued in place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force whether made before or after the issue of such warrant.

Directors may vary conditions of issue.

8. The Company may guarantee the payment of the principal and interest, or part thereof, of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be in the form set out in the schedule to this Act, or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

Company may guarantee securities of other corporations controlled by it.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by Alabama Traction Light and Power Company, Limited (*here may be set out any special terms or conditions of the guarantee*).

For Alabama Traction Light and Power Company, Limited.

President (*or other officer duly authorized*).

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL E3.

An Act for the relief of William Alexander Hunt Jenkins.

Preamble.

WHEREAS William Alexander Hunt Jenkins, of the city of London, in the province of Ontario, manufacturer, has by his petition alleged, in effect, that on the fourteenth day of October, A.D. 1896, at the city of Toronto, in the said province, he was lawfully married to Isabella Karns; that she was then of the city of Buffalo, in the state of New York, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that from some time in the month of June, A.D. 1907, until on or about the twentieth day of October, A.D. 1911, at the city of Hamilton, in the said province of Ontario, she lived as wife with husband and commited adultery with one A. R. McLaughlin; that the said William Alexander Hunt Jenkins has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between William Alexander Hunt Jenkins and Isabella Karns, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said William Alexander Hunt Jenkins may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Isabella Karns had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

E3.

An Act for the relief of William Alexander Hunt Jenkins.

Received and read a first time,

Friday, 15th March, 1912.

Second reading,

Monday, 18th March, 1912.

Honourable, MR. DE VEBER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL E3.

AS PASSED BY THE SENATE, 18th MARCH, 1912.

An Act for the relief of William Alexander Hunt Jenkins.

Preamble.

WHEREAS William Alexander Hunt Jenkins, of the city of London, in the province of Ontario, manufacturer, has by his petition alleged, in effect, that on the fourteenth day of October, A.D. 1896, at the city of Toronto, in the said province, he was lawfully married to Isabella Karns; that she was then of the city of Buffalo, in the state of New York, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that from some time in the month of June, A.D. 1907, until on or about the twentieth day of October, A.D. 1911, at the city of Hamilton, in the said province of Ontario, she lived as wife with husband and committed adultery with one A. R. McLaughlin; that the said William Alexander Hunt Jenkins has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolv ng his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between William Alexander Hunt Jenkins and Isabella Karns, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said William Alexander Hunt Jenkins may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Isabella Karns had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL F3.

An Act for the relief of Edith Harriet Duffy.

Preamble.

WHEREAS Edith Harriet Duffy, presently residing at the city of Toronto, in the province of Ontario, wife of Charles Rupert Duffy of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the twenty-second day of December, A.D. 1908, at the said city of Toronto, she then being Edith Harriet Harris, spinster; that the legal domicile of the said Charles Rupert Duffy was then and is now in Canada; that at the said city of Toronto, during the latter part of the year, A.D. 1909, he committed adultery with one Florence Beatrice Fielding; that the said Edith Harriet Duffy has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Edith Harriet Harris and Charles Rupert Duffy, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Edith Harriet Harris may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Rupert Duffy had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

F3.

An Act for the relief of Edith Harriet Duffy.

Received and read a first time

Friday, 15th March, 1912.

Second reading

Monday, 18th March, 1912.

Honourable MR. DE VEBER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL F3.

AS PASSED BY THE SENATE 18th MARCH, 1912.

An Act for the relief of Edith Harriet Duffy.

Preamble.

WHEREAS Edith Harriet Duffy, presently residing at the city of Toronto, in the province of Ontario, wife of Charles Rupert Duffy of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the twenty-second day of December, A.D. 1908, at the said city of Toronto, she then being Edith Harriet Harris, spinster; that the legal domicile of the said Charles Rupert Duffy was then and is now in Canada; that at the said city of Toronto, during the latter part of the year, A.D. 1909, he committed adultery with one Florence Beatrice Fielding; that the said Edith Harriet Duffy has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Edith Harriet Harris and Charles Rupert Duffy, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Edith Harriet Harris may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles Rupert Duffy had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL G3.

An Act for the relief of John Angus Kennedy.

Preamble.

WHEREAS John Angus Kennedy, of the city of Saskatoon, in the province of Saskatchewan, has by his petition alleged, in effect, that on the twenty-fourth day of February, A.D. 1909, at Rosthern, in the said province, he was lawfully married to Kathleen Code; that she was then of Munich, in the state of North Dakota, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that in the month of February, A.D., 1911, she was living as an inmate in a house of prostitution in the city of Winnipeg, in the province of Manitoba, and then and there on divers occasions committed adultery with persons whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is seemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Angus Kennedy and Kathleen Code, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Angus Kennedy may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Kathleen Code had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

G3.

An Act for the relief of John Angus Kennedy.

Received and read a first time

Friday, 15th March, 1912.

Second reading

Monday, 18th March, 1912.

Honourable MR. DE VEBER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL G3.

AS PASSED BY THE SENATE, 18th MARCH, 1912.

An Act for the relief of John Angus Kennedy.

Preamble.

WHEREAS John Angus Kennedy, of the city of Saskatoon, in the province of Saskatchewan, has by his petition alleged, in effect, that on the twenty-fourth day of February, A.D. 1909, at Rosthern, in the said province, he was lawfully married to Kathleen Code; that she was then of Munich, in the state of North Dakota, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that in the month of February, A.D., 1911, she was living as an inmate in a house of prostitution in the city of Winnipeg, in the province of Manitoba, and then and there on divers occasions committed adultery with persons whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is seemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between John Angus Kennedy and Kathleen Code, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Angus Kennedy may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Kathleen Code had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL H3

An Act for the relief of Keitha Seeley.

Preamble.

WHEREAS Keitha Seeley, presently residing in the township of Thurlow, in the county of Hastings, in the province of Ontario, wife of Job Earl Seeley, formerly of the city of Belleville, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the twelfth day of December, A.D. 1906, at the said city of Belleville, she then being Keitha Brown, a spinster; that the legal domicile of the said Job Earl Seeley was then and is now in Canada; that at the city of Rochester, in the state of New York, one of the United States of America, on or about the tenth day of August, A.D. 1910, he unlawfully went through a form of marriage with one Frances Hans, of the said city of Rochester, and committed adultery with the said Frances Hans; that the said Keitha Seeley has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Keitha Brown and Job Earl Seeley, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Keitha Brown may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Job Earl Seeley had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

H3.

An Act for the relief of Keitha Seeley.

Received and read a first time,

Tuesday, 19th March, 1912.

Second reading,

Thursday, 21st March, 1912.

Honourable MR. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL H3.

AS PASSED BY THE SENATE, 21st MARCH, 1912.

An Act for the relief of Keitha Seeley.

WHEREAS Keitha Seeley, presently residing in the township of Thurlow, in the county of Hastings, in the province of Ontario, wife of Job Earl Seeley, formerly of the city of Belleville, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the twelfth day of December, A.D. 1906, at the said city of Belleville, she then being Keitha Brown, a spinster; that the legal domicile of the said Job Earl Seeley was then and is now in Canada; that at the city of Rochester, in the state of New York, one of the United States of America, on or about the tenth day of August, A.D. 1910, he unlawfully went through a form of marriage with one Frances Hans, of the said city of Rochester, and committed adultery with the said Frances Hans; that the said Keitha Seeley has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between Keitha Brown and Job Earl Seeley, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved

Right to marry again.

2. The said Keitha Brown may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Job Earl Seeley had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I3.

An Act for the relief of David George Davidson.

Preamble.

WHEREAS David George Davidson, of the city of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the ninth day of May, A.D. 1909, at the said city of Toronto, he was lawfully married to Jennie Brown; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that on or about the twenty-first day of December, A.D. 1909, she deserted him at the town of Barrie, in the said province, and, between that date and the month of July, A.D. 1911, at divers places, committed adultery with a man whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between David George Davidson and Jennie Brown, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said David George Davidson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Jennie Brown had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

I3.

An Act for the Relief of David George Davidson.

Received and read a first time

Tuesday, 19th March, 1912.

Second reading

Wednesday, 20th March, 1912.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL I3.

AS PASSED BY THE SENATE 20th MARCH, 1912.

An Act for the relief of David George Davidson.

Preamble.

WHEREAS David George Davidson, of the city of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the ninth day of May, A.D. 1909, at the said city of Toronto, he was lawfully married to Jennie Brown; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that on or about the twenty-first day of December, A.D. 1909, she deserted him at the town of Barrie, in the said province, and, between that date and the month of July, A.D. 1911, at divers places, committed adultery with a man whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between David George Davidson and Jennie Brown, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said David George Davidson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Jennie Brown had not been solemnized.

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL J3.

AS PASSED BY THE SENATE 19th MARCH, 1912.

An Act for the relief of Henry Greek Wills.

Preamble.

WHEREAS Henry Greek Wills, of the city of Montreal, in the province of Quebec, has by his petition alleged, in effect, that on the twenty-first day of October, A.D. 1901, at the city of Chicago, in the state of Illinois, one of the United States of America, he was lawfully married to Marion Frances Grant; that she was then of the said city of Chicago, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Chicago, on or about the tenth day of September, A.D. 1911, she committed adultery with a certain man whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Henry Greek Wills and Marion Frances Grant, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Henry Greek Wills may at any time hereafter marry any woman he might lawfully marry if the said marriage with [illegible]said Marion Frances Grant had not been solemniz[illegible]

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL

J3.

An Act for the relief of Henry Greek Wills.

Received and read first, second and third times,

Tuesday, 19th March, 1912.

Honourable MR. DE VEBER.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1911-12

1st Session, 12th Parliament, 2 George V., 1911-12

THE SENATE OF CANADA.

BILL J3.

AS PASSED BY THE SENATE 19th MARCH, 1912.

An Act for the relief of Henry Greek Wills.

Preamble

WHEREAS Henry Greek Wills, of the city of Montreal, in the province of Quebec, has by his petition alleged, in effect, that on the twenty-first day of October, A.D. 1901, at the city of Chicago, in the state of Illinois, one of the United States of America, he was lawfully married to Marion Frances Grant; that she was then of the said city of Chicago, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Chicago, on or about the tenth day of September, A.D. 1911, she committed adultery with a certain man whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Henry Greek Wills and Marion Frances Grant, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Henry Greek Wills may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Marion Frances Grant had not been solemnized.

THE SENATE OF CANADA.

BILL K3.

AS PASSED BY THE SENATE 28th MARCH, 1912.

An Act to amend an Act of the present session intituled "An Act to incorporate The Ottawa and Lake McGregor Railway Company."

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

1. The Ottawa and Lake McGregor Railway Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated, and upon terms to be agreed upon by such municipality.

Hotels and restaurants.

Parks.

Consent of municipality.

K.2