

THE HOUSE OF COMMONS OF CANADA.

BILL 2.

An Act to amend the Juvenile Delinquents Act, 1908.

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

5 **1.** Section 19 of *The Juvenile Delinquents Act, 1908*, 1908, c. 40, chapter 40 of the statutes of 1908, is amended by adding s. 19 amended. thereto the following subsection:—

10 “3. No child of a religious faith other than the Protestant or Roman Catholic shall be committed to the care of either a Protestant or Roman Catholic children’s aid society or be placed in any Protestant or Roman Catholic family as its foster home unless there is within the municipality no children’s aid society or no suitable family of the same religious faith as that professed by the child or by its family, and, if there is no children’s aid society or suitable family of such faith to which the care of such child can properly be given, the disposition of such child shall be in the discretion of the court.”

15 **2.** Section 23 of the said Act is amended by adding thereto the following subsection:—

20 “4. In the case of a child of a religious faith other than the Protestant or Roman Catholic, the court shall appoint three or more suitable persons to be the Juvenile Court Committee as regards such child, such persons to be of the same religious faith as the child if there are such suitable persons resident within the municipality willing to act.”

S. 23 amended.

When child of religious faith other than Protestant or Roman Catholic.

Ch. 2

THE HOUSE OF COMMONS
OF CANADA.

BILL 2.

An Act to amend the Juvenile
Delinquents Act, 1908.

First reading, November 20, 1911.

MR. BICKERDIKE.

THE HOUSE OF COMMONS OF CANADA.

BILL 3.

An Act to amend the Marriage Act.

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

1. *The Marriage Act*, chapter 105 of the Revised Statutes, 1906, is amended by adding thereto the following section:—

R.S., c. 105, amended.

- 5 “3. Every ceremony or form of marriage heretofore or hereafter performed by any person authorised to perform any ceremony of marriage by the laws of the place where it is performed, and duly performed according to such laws, shall everywhere within Canada be deemed to be a valid
- 10 marriage, notwithstanding any differences in the religious faith of the person so married and without regard to the religion of the person performing the ceremony.
- “2. The rights and duties, as married people, of the respective persons married as aforesaid, and of the children of
- 15 such marriage, shall be absolute and complete, and no law or canonical decree or custom of or in any province in Canada shall have any force or effect to invalidate or qualify any such marriage or any of the rights of the said persons or their children in any manner whatsoever.”

Section added.

Marriages to be valid notwithstanding religious beliefs of parties.

Rights and duties of parties and their children to be absolute.

THE HOUSE OF COMMONS
OF CANADA.

BILL 3.

An Act to amend the Marriage Act.

First reading, November 20, 1911.

MR. LANCASTER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 4.

An Act to amend the Dominion Elections Act.

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

1. Section 10 of *The Dominion Elections Act*, chapter 6 R.S., c. 6, amended.
5 of the Revised Statutes, 1906, is amended by inserting at the commencement of the said section the words "Subject to Qualifica-
subsection 2 of this section," and by adding to the said tions to vote.
section the following subsection:—

10. "2. No person shall vote in more than one electoral Voting in
district on voters lists for the same year, and if by the laws more than
of any province he is entitled to vote in more than one one electoral
electoral district he shall, for a Dominion election, be district.
entitled to vote only in the electoral district in which he is
domiciled at the time of the election."

THE HOUSE OF COMMONS
OF CANADA.

BILL 4.

An Act to amend the Dominion
Elections Act.

First reading, November 20, 1911.

MR. LANCASTER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 5.

An Act to amend the Railway Act.

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

1. Section 238A of *The Railway Act*, as enacted by section R. S., c. 37
5 6 of chapter 32 of the statutes of 1909, is amended by s. 238A
adding at the end thereof the following:—“and where the amended.
railway has been constructed before the passing of this Act,
and is permitted by the Board to pass over any highway Highway
crossing at rail level, the municipality shall not be ordered to crossings.
10 pay any portion of the cost or expense of protecting such Muni-
crossing unless and except it is otherwise provided by pality's
agreement, approved of by the Board, between the company proportion
and the municipal corporation.” of cost.

THE HOUSE OF COMMONS
OF CANADA.

BILL 5.

An Act to amend the Railway Act.

First reading, November 20, 1911.

MR. LANCASTER.

OTTAWA
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1911-12

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

THE HOUSE OF COMMONS OF CANADA.

BILL 6.

An Act to amend the Railway Act.

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

1. Subsection 1 of section 327 of *The Railway Act*, chapter 537 of the Revised Statutes, 1906, is amended by adding the words “and special” after the word “standard” in the first line of the said subsection. Standard freight tariff.

6.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 6.

An Act to amend the Railway Act.

First reading, November 22, 1911.

MR. TURRIFF.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 7.

An Act to amend the Railway Act.

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

1 1. Subsection 3 of section 254 of *The Railway Act*, chap- R.S., c. 37,
5 ter 37 of the Revised Statutes, 1906, and section 5 of chap- and 1910, c.
ter 50 of the statutes of 1910, are repealed, and the follow- 50, amended.
ing is enacted as subsection 3 of section 254 of *The Railway Act*:—

10 “3. Such fences, gates and cattle guards shall be suitable Cattle
and sufficient to prevent cattle and other animals from guards.
getting on the railway lands, and the style, construction,
material and dimensions of such cattle guards shall, before
the first day of April, one thousand nine hundred and
twelve, be submitted to the Board and receive its approval.”

15 2. Section 8 of chapter 50 of the statutes of 1910 is R.S., c. 37, s.
repealed, and the following is enacted as subsection 4 of 294 amended.
section 294 of *The Railway Act*:—

20 “4. When any horses, sheep, swine or other cattle at Damage
large, whether upon the highway or not, get upon the prop- caused to or
erty of the company, and by reason thereof damage is by cattle
caused to or by such animal, the party suffering such on railway.
damage shall, except in the cases otherwise provided for
by the next following section, be entitled to recover the
amount of such damage against the company in any action
25 in any court of competent jurisdiction, unless the company
establishes that such animal so got upon the property of the
company without the negligence of the company or the
omission of any duty binding on the company under this
Act.”

THE HOUSE OF COMMONS
OF CANADA.

BILL 7.

An Act to amend the Railway Act.

First reading, November 24, 1911.

MR. MEIGHEN.

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 HOUSE OF COMMONS OF CANADA.

BILL 8.

An Act to amend the Dominion Elections Act.

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

1. Paragraph (b) of section 96, and sections 97 and 98, R. S., c. 6
amended.
Deposit.
5 of *The Dominion Elections Act*, chapter 6 of the Revised Statutes, 1906, are repealed.

S.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL S.

An Act to amend the Dominion
Elections Act.

First reading, November 27, 1911.

MR. BURNHAM.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 9.

An Act to amend the Criminal Code.

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

1. Section 394 of *The Criminal Code*, chapter 146 of the Revised Statutes, 1906, is repealed, and the following is substituted therefor:—

R.S., c. 146 amended.

“394. Every one is guilty of any indictable offence and liable to three years’ imprisonment who,—

New s. 394.

“(a) without the consent of the owner thereof, and without lawful excuse, the proof whereof shall lie upon the person charged,—

Penalty.

(i) takes, holds, keeps in his possession, collects, conceals, receives, appropriates, purchases, sells or causes or procures, or assists to be taken possession of, collected, concealed, received, appropriated, purchased or sold,

Taking possession, etc., of drift timber

any timber, mast, spar, saw-log, shingle bolt, or other description of lumber, whether marked with the owner’s mark under *The Timber Marking Act*, chapter 72 of the Revised Statutes, 1906, or the “*Timber Mark Act*,”

R.S., c. 72.

chapter 184 of the Revised Statutes of British Columbia 1897, which is found adrift in, or cast ashore on the bank or beach of, any river, stream, or lake, in Canada, or in the harbours, or any of the coast waters (including the whole of Queen Charlotte Sound, the whole of the Strait of Georgia or the Canadian waters of the Strait of Juan de Fuca) of British Columbia, or,—

R.S.B.C., c. 184.

(ii) wholly or partially defaces or adds or causes or procures to be defaced or added, any mark or number on any such timber, mast, spar, saw-log, shingle bolt, or other description of lumber, or makes or causes or procures to be made, any false or counterfeit mark on any such timber, mast, spar, saw-log, shingle bolt, or other description of lumber; or,—

Defacing marks.

“(b) refuses to deliver up to the proper owner thereof, or to the person in charge thereof, on behalf of such owner,

Refusing to deliver to owner.

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BILL 9.

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or authorized by such owner to receive the same, any such timber, mast, spar, saw-log, shingle bolt, or other description of lumber."

- New s. 990. **2.** Section 990 of the said Code is repealed, and the following is substituted therefor:— 5
- Evidence of property in timber. "990. In any prosecution, proceeding or trial for any offence under section three hundred and ninety-four, a timber mark duly registered under the provisions of *The Timber Marking Act*, chapter 72 of the Revised Statutes, 1906, or the "Timber Mark Act," chapter 184 of the 10 Revised Statutes of British Columbia, 1897, on any timber, mast, spar, saw-log, shingle bolt, or other description of lumber, shall be prima facie evidence that the same is the property of the registered owner of such timber mark.
- R.S., c. 72.
R.S.B.C.,
c. 184. "2. Possession by the accused, or by others in his employ 15 or on his behalf, of any such timber, mast, spar, saw-log, shingle bolt, or other description of lumber so marked, shall, in all cases, throw upon him the burden of proving that such timber, mast, spar, saw-log, shingle bolt, or other description of lumber came lawfully into his possession, or into the 20 possession of such others in his employ or on his behalf."
- Possession of timber with mark, prima facie evidence of theft.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 9.

An Act to amend the Criminal Code.

First reading, November 28, 1911.

MR. STEVENS.

OTTAWA

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Printer to the King's most Excellent Majesty

1911

THE HOUSE OF COMMONS OF CANADA.

BILL 10.

An Act respecting the British Colonial 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.
1909, c. 52.

1. Chapter 52 of the statutes of 1909, incorporating the British Colonial Fire Insurance Company, shall, notwithstanding anything in section 78 of *The Insurance Act, 1910*, be deemed not to have expired and ceased to be in force after the eighteenth day of May, nineteen hundred and eleven, but to have continued and to be in force.

Charter continued in force.

1910, c. 32.

2. The Minister of Finance may, at any time not later than the nineteenth day of May, nineteen hundred and thirteen, subject to the provisions of *The Insurance Act, 1910*, grant to the said company the license necessary for carrying on business.

Grant of license by Minister.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 10.

An Act respecting the British Colonial
Fire Insurance Company.

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. CODERRE.

OTTAWA
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1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 11.

An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to "The Canadian Mortgage Investment 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:—

1. The name of the Canadian Birkbeck Investment and Savings Company is changed to "The Canadian Mortgage Investment Company;" but such change of name shall not in any way impair, alter or affect the rights or liabilities of the said company, nor in any way affect any suit or proceeding now pending or judgment existing either by or in favour of, or against the said company, which, notwithstanding such change in the name of the said company, 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 HOUSE OF COMMONS
OF CANADA.

BILL 11.

An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to "The Canadian Mortgage Investment Company."

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. OSLER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 12.

An Act respecting the Erie, London and Tillsonburg
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.

1906, c. 90;
1908, c. 106;
1910, c. 96.

1. The Erie, London and Tillsonburg Railway Company
may, within two years after the passing of this Act, com-
mence 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 so completed and put in operation, the powers of con-
struction 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.

Time for
construction
of railway
extended.

2. Chapter 96 of the statutes of 1910 is repealed.

Repeal.

THE HOUSE OF COMMONS
OF CANADA.

BILL 12.

An Act respecting the Erie, London and
Tillsonburg Railway Company.

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. CLARKE,
(Essex.)

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

THE HOUSE OF COMMONS OF CANADA.

BILL 13.

An Act to incorporate the Liverpool-Manitoba Assurance Company.

WHEREAS the persons hereinafter named have by their Preamble.
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
5 and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Sir Edward Seaborne Clouston, baronet, George Incorpora-
Edward Drummond, Frederick William Thompson, Sir tion.
Alexandre Lacoste and James Gardner Thompson, all of
10 the city of Montreal, in the province of Quebec, together
with such persons as become shareholders in the company,
are incorporated under the name of "The Liverpool- Corporate
Manitoba Assurance Company," hereinafter called "the name.
Company."

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

3. The capital stock of the Company shall be one Capital
million dollars. stock.

4. The amount to be subscribed before the general meet- Subscription
20 ing for the election of directors is called shall be the sum of before general
one hundred thousand dollars. meeting.

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

6. The Company may make contracts of fire insurance, Business
25 also contracts of plate glass insurance, steam boiler insur- which may
ance, inland transportation insurance as defined by *The* be carried on.
Insurance Act, 1910, and marine insurance.

Commence-
ment of
fire insurance
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 bona fide subscribed and at least one hundred thousand dollars have been paid thereon.

Plate glass,
steam boiler
and inland
transportation
insurance.

2. The Company shall not commence the business of plate glass insurance, steam boiler insurance and inland transportation insurance, in addition to fire insurance, until its subscribed capital has been increased to at least three hundred and fifty thousand dollars, and at least one hundred and fifty thousand dollars have been paid thereon.

Marine
insurance.

3. The Company shall not commence the business of marine insurance, in addition to the class or classes of insurance for which a licence has been granted, until a further sum of one hundred and fifty thousand dollars of its capital stock has been subscribed and seventy-five thousand dollars have been paid thereon.

Acquire-
ment of
business of
Manitoba
Assurance
Company.

8. The Company may acquire the whole or any part of the rights and property of the Manitoba Assurance Company incorporated by chapter 63 of the statutes of 1886 of Manitoba, amended by chapter 73 of the statutes of 1904 of Manitoba, and in such case the Company shall perform and discharge all such duties, obligations and liabilities of the said company with respect to the rights and property acquired as are not performed or discharged by the said company.

1910, c. 32.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 13.

An Act to incorporate the Liverpool
Manitoba Assurance Company.

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. BICKERDIKE.

OTTAWA

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Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 14.

An Act to incorporate the North Arm Bridge and
Railway Company.

WHEREAS a petition has been presented praying that it Preamble.
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
5 and House of Commons of Canada, enacts as follows:—

1. E. C. Cartwright, A. G. Langley, P. M. Smith and Incorporation.
C. J. Loewen, all of the city of Vancouver, and W. H. Langley
of the city of Victoria, in the province of British Columbia,
together with such persons as become shareholders in the
10 company, are incorporated under the name of "The North
Arm Bridge and Railway Company," hereinafter called Corporate name.
"the Company."

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

15 **3.** The persons named in section 1 of this Act are consti- Provisional directors.
tuted provisional directors of the Company.

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

20 **5.** The head office of the Company shall be in the city Head office.
of Vancouver, in the province of British Columbia.

6. The annual meeting of the shareholders shall be held Annual meeting.
on the second Wednesday in October.

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

- Construction of bridge. **8.** The Company may lay out, construct, operate, and use a railway bridge across the North Arm of Burrard Inlet, from a point on the sea shore commonly known as the Turtle's Head to a point on the west shore on lot five hundred and seventy-five directly north of the island known as White Rock. The said bridge may be constructed for the use of foot passengers, carriages, and street railways as well as for railway purposes, with the necessary approaches, and shall be built so as not to interfere with navigation; and the Company may lay water mains across the said bridge. 5
- Water mains. **2.** In order to connect the said bridge with the railways of the companies named in section 15 of this Act, the Company may lay out, construct and operate a railway, 10
- Line of railway. not exceeding ten miles in length, of the gauge of four feet eight and one-half inches. 15
- 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, from some point on lot two hundred and fifty-six on the north shore of Burrard Inlet, and following the said north shore of Burrard Inlet to a point in the city of North Vancouver, or to connect with any railway that is or may be constructed on the north shore of Burrard Inlet. 20
- Consent of municipalities. **10.** The Company shall not construct or operate any railway along any highway, street, or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street, or other public place, and upon terms to be agreed upon with such municipality. 25
- Acquirement and transmission of electric and other power. **11.** For the purpose 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 municipalities through which the railway has been constructed, 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. 30 35 40 45
- Rates to be approved by Railway Commission. **12.** 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 pur-
- Consent of municipalities required for telegraph and

poses, 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
 5 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,
 10 of such municipality.

telephone lines upon highways, etc.

R.S., c. 126.

13. 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.

15 **14.** In addition to the securities authorized by section 13 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,
 20 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
 25 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.

15. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the
 30 purposes specified in the said section 361, enter into agreements with all or any of the following companies, namely:— the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Great Northern Railway Company, the Nor-
 35 thern Pacific Railroad Company, the Chicago, Milwaukee and St. Paul Railroad Company, the Vancouver, Westminster and Yukon Railway Company, the Howe Sound, Pemberton Valley and Northern Railway Company, the Vancouver Power Company, Limited, the British Columbia Electric
 40 Railway Company, and the Burrard Inlet Tunnel and Bridge Company.

Agreements with other companies.

16. The Company shall commence the construction of the said bridge within three years after the passing of this Act, and may complete the said bridge within seven years
 45 after the passing of this Act; and if the said bridge is not so

Time for construction of bridge limited.

commenced, or is not so completed within the said periods respectively, the powers of construction granted to the Company by Parliament for such bridge, shall cease and be null and void as respects so much of the said bridge as then remains uncompleted.

THE HOUSE OF COMMONS
OF CANADA.

BILL 14.

An Act to incorporate the North Atlantic
Bridge and Railway Company.

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. STEVENS.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 15.

An Act to incorporate the Vancouver Life Insurance Company of Vancouver, B.C.

WHEREAS the persons hereinafter named have by their Preamble. 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 5 and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Cory Spencer Ryder, real estate agent, Milton Madison Harrell, lumber dealer, William Rattray Gillespie, hotel manager, Jay Carroll McGrath, timber merchant, and 10 Newell Van Sickle, insurance agent, all of the city of Vancouver, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Vancouver Life Insurance Company of Vancouver, B. C.," hereinafter called 15 "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. Capital stock.

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

5. The Company shall not commence business until seven hundred and fifty thousand dollars of the capital 25 stock have been subscribed, and seventy-five thousand dollars paid thereon. Subscription before commencing business.

6. The head office of the Company shall be in the city of Head office. Vancouver, in the province of British Columbia.

THE HOUSE OF COMMONS OF CANADA
BANK OF CANADA
1911-12

Business
authorized.

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, generally, may carry on the business of life insurance in all its branches and forms.

5

1910, c. 32.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 15.

An Act to incorporate the Vancouver Life Insurance Company of Vancouver, B.C.

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. STEVENS.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 16.

An Act respecting patents of Thomas Wadge.

WHEREAS Thomas Wadge of the city of Winnipeg, Preamble.
in the province of Manitoba, manufacturer, has by
his petition represented that he is the beneficial owner of
patents numbers seventy-three thousand seven hundred
5 and eighty-nine and seventy-three thousand seven hundred
and ninety, issued under the seal of the Patent Office, for
improvement in grain separators and the like, and has
prayed that it be enacted as hereinafter set forth, and it
is expedient to grant the prayer of the said petition:
10 Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada,
enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in
the patents mentioned in the preamble, the Commissioner of Extension of
time for
payment of
fees.
15 Patents may receive from the said Thomas Wadge an
application for a certificate of payment of further fees and
the usual fees for the remainder of the term of eighteen
years from the date thereof, and may grant and issue to
the said Thomas Wadge certificates of payment of further R.S., c. 69,
s. 23.
20 fees as provided for by *The Patent Act*, and extensions of
the term of duration of the said patents, to the full term of Extension of
duration of
patents.
eighteen years, in as full and ample a manner as if the
application therefor had been duly made within six years
from the date of the issue of the said patents.

25 2. If any person, other than a licensee or person author- Saving of
rights
acquired.
ized in writing by the said Thomas Wadge, has, in the
period between the nineteenth day of November, 1907,
and the date of the passing of this Act, commenced to manu-
facture, use, or sell, in Canada, any of the inventions
30 covered by the said patents or either of them, such person
may continue to manufacture, use, or sell in Canada such
invention in as full and ample a manner as if this Act had
not been passed: Provided that this exemption shall not PROVISOR.
extend to any person, who, without the consent of the holder
35 of the said patents, has commenced the use, construction
or manufacture of such invention before the expiry of the
said patents.

16.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 16.

An Act respecting patents of
Thomas Wadge.

First reading, December 1, 1911.

(PRIVATE BILL.)

MR. AIKINS.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 17.

An Act to amend the Dominion Elections Act.

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

- 5 1. Section 94 of *The Dominion Elections Act*, chapter R.S., c. 6, s. 94 amended.
6 of the Revised Statutes, 1906, is amended by striking
out the words "twenty-five" in the first line of the said
section and substituting therefor the words "one hundred." Nomination
paper.
2. Paragraph (b) of section 96, and sections 97 and 98, Ss. 96, 97, 98
of the said Act are repealed. Deposit.
- 10 3. Section 100 of the said Act is repealed and the follow- New s. 100.
ing is substituted therefor:—
"100. At the close of the time for nominating the List of names
candidates the returning officer shall forthwith transmit of candidates.
to the Clerk of the Crown in Chancery, and also deliver to
15 every candidate or agent of a candidate applying therefor,
a duly certified list containing the name in full, post office
address, and addition or description, of each candidate who
has been nominated."
- 20 4. The said Act is amended by inserting the following Section
added.
after section 131:—
"131A. A voter entitled to vote within a city or town Employee
shall, on the day of polling, for the purpose of voting, to have time
be entitled to absent himself from any service or employment to vote.
in which he is then engaged or employed, from the hour
25 of noon until the hour of two of the clock next thereafter,
and a voter shall not, because of his so absenting himself, be
liable to any penalty, or suffer or incur any reduction from
the wages or compensation to which but for his absence he
would have been entitled; Provided, that this section shall
30 not apply where a voter is by his employer permitted or
allowed, at any other period during the hours of polling,
reasonable and sufficient time and opportunity to vote."

New s. 136.

Hours of
polling.

5. Section 136 of the said Act is repealed and the following is substituted therefor:—

“**136.** The poll shall be opened at the hour of eight of the clock in the forenoon and kept open until six of the clock in the afternoon of the same day; and each deputy returning officer shall, during that time, in the polling station assigned to him receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station.”

5

THE HOUSE OF COMMONS
OF CANADA.

BILL 17.

An Act to amend the Dominion
Elections Act.

First reading, December 1, 1911.

MR. MACDONELL.

OTTAWA

Printed by C. H. PARMEER

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 19.

An Act to amend the Inquiries Act.

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

5 1. *The Inquiries Act*, chapter 104 of the Revised Statutes, R.S., c. 104
1906, is amended by adding thereto the following section:— amended.

“11. The commissioners, whether appointed under Part I or under Part II of this Act, if thereunto authorized by the commission issued in the case, may engage the services of such accountants, engineers, technical advisers, or other experts, clerks, reporters and assistants as they deem
10 necessary or advisable, and also the services of counsel to aid and assist the commissioners in the inquiry, and the commissioners may authorize and depute any such accountants, engineers, technical advisers, or other experts, or any qualified persons, to take evidence and inquire into and report to
15 the commissioners upon any matter within the scope of the commission as may be directed by the commissioners, and such persons shall, in the execution of the powers so deputed or authorized, have the same powers which the commissioners have to issue subpoenas, enforce the attendance of witnesses,
25 compel them to give evidence, and otherwise conduct the inquiry.”

Section added.
Employment of counsel, experts and assistants.
Experts may take evidence and report.

THE HOUSE OF COMMONS
OF CANADA.

BILL 19.

An Act to amend the Inquiries Act.

First reading, December 1, 1911.

MR. DOHERTY.

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

For Sale by the Queen's Printer, Ottawa, 1911

THE RECORD OF DEBATES OF THE HOUSE OF COMMONS

BILL 19.

An Act to amend the Inquiries Act.

Mr. Doherty: I have the honor to acknowledge the receipt of the Bill, and to inform you that it has been introduced in the House of Commons on the 1st of December, 1911.

The Bill is intended to amend the Inquiries Act, and to provide for the appointment of a Commission of Inquiry to investigate the causes of the fire at the Hotel Cecil, Ottawa, on the 1st of December, 1911. The Commission is to be composed of three members, one of whom shall be a member of the House of Commons. The Commission is to have the right to call for evidence and to report to the House of Commons.

THE HOUSE OF COMMONS OF CANADA.

BILL 20.

An Act respecting the Grand Trunk Pacific 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:—

1. Notwithstanding the provisions of section 35 of chapter 122 of the statutes of 1903, as the said section is enacted by section 6 of chapter 80 of the statutes of 1904, the Grand Trunk Pacific Railway Company may complete the Prairie Section and the Mountain Section respectively of the Western Division of the National Transcontinental Railway within such time as may hereafter be fixed by the Governor in Council under and in accordance with the provisions of an Act passed at the present session, intituled "An Act respecting the National Transcontinental Railway," and the said company has and shall continue to have, as respects the now uncompleted portions of the said Prairie Section and Mountain Section respectively, all the powers heretofore conferred upon it by Parliament: Provided, however, that if the said Prairie Section and Mountain Section respectively are not so completed and put in operation within the time so fixed by order in council, the powers conferred upon the said company by Parliament shall cease and be null and void as respects so much of the Prairie Section and of the Mountain Section respectively as then remains uncompleted.

Preamble.

1903, c. 122,
s. 35
amended.
Prairie
section and
Mountain
section may
be completed
within time
fixed by
Governor in
Council.

Powers
continued.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 20.

An Act respecting the Grand Trunk
Pacific Railway Company.

First reading, December 4, 1911.

(PRIVATE BILL.)

MR. MACDONALD.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 21.

An Act respecting the National Transcontinental
Railway.

WHEREAS under the agreement made the eighteenth day of February, one thousand nine hundred and four between His Majesty the King, acting in respect of the Dominion of Canada, and the Grand Trunk Pacific Railway Company, set out in the Schedule to chapter 24 of the statutes of 1904, which agreement was confirmed by section 1 of the said chapter 24, the time for completion of the Western Division of the National Transcontinental Railway expired on the first day of December, one thousand nine hundred and eleven; and whereas the said Western Division was not completed on the said date: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in the agreement mentioned in the preamble, the Governor in Council may, on such terms and conditions and for such periods as he deems advisable, extend the time for the completion of the Prairie Section and the Mountain Section of the said Western Division: Provided that such extension of time shall not exceed twelve months from the first day of December, one thousand nine hundred and eleven for the Prairie Section and three years from the first day of December, one thousand nine hundred and eleven for the Mountain Section.

Preamble.

1904, c. 24.

Governor in Council may extend time for completion of Prairie section and Mountain section.

Time limit.

THE HOUSE OF COMMONS
OF CANADA.

BILL 21.

An Act respecting the National
Transcontinental Railway.

First reading, December 4, 1911.

MR. COCHRANE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 22.

An Act respecting the Dominion Atlantic 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.

1895, c. 47;
1898, c. 8;
1900, c. 59;
1905, c. 85;
1908, c. 101;
1910, c. 88.

1. The Dominion Atlantic Railway Company may commence the construction of the line of railway authorized by section 1 of chapter 101 of the statutes of 1908 within two years after the passing of this Act, and may complete the said line of railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said line of railway is not so commenced, or 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 railway as then remains uncompleted.
2. The Company may issue securities upon its railway to an amount not exceeding thirty thousand dollars per mile of railway constructed or under contract to be constructed.
3. Chapter 88 of the statutes of 1910 is repealed.

Extension of
time for
construction.

Issue of
securities.

Repeal.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 22.

An Act respecting the Dominion
Atlantic Railway Company.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. JAMESON.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 23.

An Act respecting the Harbour of Hamilton.

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 Hamilton Harbour Commissioners' Act*.

INCORPORATION.

2. The Commissioners appointed in accordance with this Act are incorporated under the name of "The Hamilton Harbour Commissioners," hereinafter called "the Corporation."

INTERPRETATION.

3. In this Act, unless the content otherwise requires,—

(a) "commissioner" means a member of the corporation;

(b) "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act;

(c) "vessel" includes every kind of ship, boat, barge, dredge, elevator, scow, or floating craft propelled by steam, or otherwise;

(d) "goods" means any movables other than vessels;

(e) "rates" means any rate, toll, or duty whatsoever imposed by this Act.

4. For the purposes of this Act, the port and harbour of Hamilton shall be deemed to include all the waters of Burlington Bay and what is known as Cootes Paradise, together

with all the inlets thereof; together with the dock and other water-front property and water lots, and also the piers, docks, shores and beaches in and along the said bay and waters.

Land marks. **5.** The Corporation may erect land marks to indicate the said boundaries of the port of Hamilton and of the harbour of Hamilton, which land marks shall be held to determine the said boundaries. 5

COMPOSITION OF CORPORATION.

Commissioners. **6.** The Corporation shall consist of three commissioners, one of whom shall be appointed by the council of the city of Hamilton, and two by the Governor in Council. 10

Appointment by city, how made. **2.** The commissioner to be appointed by the city of Hamilton shall be nominated to the council by the board of control, and no commissioner shall be appointed or selected by the council in the absence of such nomination without an affirmative vote of at least two-thirds of the members of the council present and voting; but the council may by a majority vote refer such nomination back to the board of control for re-consideration. 15

Term of office. **3.** The commissioner so appointed shall hold office for three years, subject to removal, and until his successor is appointed, and shall be eligible for re-appointment. 20

Resignations. **7.** A commissioner appointed by the Governor in Council may resign his office by notifying, in writing, the Governor in Council of such resignation, and a commissioner appointed by the council of the city of Hamilton by notifying in writing the said council of such resignation. 25

Filling of vacancies. **8.** Whenever a vacancy occurs in the office of the commissioner appointed by the council of the city of Hamilton, whether such vacancy occurs by expiration of the term of office, or otherwise, the council shall, within thirty days, appoint or recommend his successor, and, in default of such appointment or recommendation being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. 30

Oath of office. **9.** Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in 35

him as a member of the Corporation, which oath shall be filed of record in the office of the Corporation.

10. The Corporation shall elect its own chairman, and two commissioners shall be a quorum for the transaction of all business within the jurisdiction of the Corporation.

Chairman
and quorum.

OFFICERS AND EMPLOYEES.

11. The Corporation may appoint a harbour-master and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems fitting, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary.

Officers, etc.

Salaries.

Security.

GENERAL POWERS.

12. The corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the port and harbour of Hamilton.

Territorial
limits of
jurisdiction.

13. The Corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the said property and the land comprised within the harbour, and may sue and be sued under its corporate name in any matter or thing arising under the provisions of this Act.

Suits and
actions.

14. The Corporation may hold, take, develop and administer on behalf of the city of Hamilton, subject to such terms and conditions as may, at the time the control thereof is transferred to the Corporation, be agreed upon with the council of the said city, the dock property and water lots owned by the city of Hamilton in the harbour as defined by this Act, and all other property which may be placed under the jurisdiction of the Corporation.

Power to
hold and
administer
certain
property for
city.

2. The Corporation may acquire, expropriate, hold, sell, lease and otherwise dispose of such real estate, building or other property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour as in this Act defined, or for the management, development and control of such property, or for any of the other purposes of this Act, and re-invest the proceeds arising therefrom in its discretion.

Property
required for
harbour.

3. Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the

Alienation
of land
restricted.

Governor in Council, sell, alienate, mortgage, or otherwise dispose of any land acquired by it from the Government of Canada.

Use and development of water front. **15.** The Corporation may regulate and control the use and development of all land and property on the water front within the limits of the city, and all docks, wharves, channels, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter provided. 5

Docks, buildings and appliances. 2. The Corporation may construct and maintain docks, channels, warehouses, cranes or other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, and may sell, lease or operate the same. 10

Construction and operation of railways. 3. The Corporation may, subject to such provisions of *The Railway Act* as are applicable to the exercise of the powers granted by this sub-section,— 15

(a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the port and harbour of Hamilton as defined by this Act; 20

(b) enter into agreements with any railway company for the maintenance, by such company, of such railways and the operation thereof by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company; 25

(c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour, or for making connection between such companies' lines or vessels and those of the Corporation; 30

but nothing in this subsection shall be deemed to constitute the Corporation a railway company.

Plant and machinery. 4. The Corporation may own and operate, by any motive power, all kinds of appliances, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating the traffic therein. 35

R.S., c. 115 to apply to works. 5. Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of *The Navigable Waters' Protection Act*. 40

Profits of operation, if any, to belong to city. **16.** After providing for the cost of management of all the property which the Corporation owns, controls, or manages under the preceding sections, and after providing for the cost of works or improvements under way or in contemplation, and for the performance of the other duties imposed upon the Corporation, and for capital charges and 45

interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the city of Hamilton, and shall be paid over by the Corporation to the city treasurer.

17. All books, documents and papers having reference to the management and development of any property under the control of the Corporation shall at all times be open for inspection by the audit department of the city of Hamilton; and the Corporation shall report annually all its proceedings in connection therewith to the council of the said city.

Books, etc., to be open to inspection by city.

Annual report.

EXPROPRIATION OF LANDS.

18. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of the lands which it is authorized to purchase, as to the price to be paid therefor, then the Corporation may acquire such lands without the consent of the owner, and the provisions of *The Railway Act* relating to taking land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation.

Expropriation of lands.

R.S., c. 37 to apply.

BORROWING POWERS.

19. For the purpose of defraying the expenses of constructing, extending and improving the wharves, structures and other accommodations in the harbour of Hamilton in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the real property vested in or controlled by the Corporation, subject to the several exceptions contained in section 14 of this Act.

2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act for, or on account of, the said harbour; and other lawful charges upon the said revenue shall be as follows:—

Borrowing powers.

Debentures.

Term.

Security.

Guarantee.

Charge upon revenue.

Other charges on revenue.

Collection.	(a) The payment of all expenses incurred in the collection of the same, and other necessary charges;	
Repairs.	(b) The defraying the expenses of keeping the harbour clean and of keeping the wharves and other works therein in a thorough state of repair;	5
Interest.	(c) The payment of interest due on all sums of money borrowed under this Act;	
Sinking fund.	(d) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;	10
Dredging, operating, etc.	(e) The cost of keeping the harbour dredged, operating docks and wharves, and otherwise carrying out the objects of this Act.	

BY-LAWS.

By-laws.	20. The Corporation may make by-laws, not contrary to law or to the provisions of this Act, for the following purposes:—	15
Navigation.	(a) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour;	20
Building operations and other actions affecting harbour.	(b) To regulate, control or prohibit any building operations within or upon the harbour, excavations, removal or deposit of material, or any other action which would affect in any way the docks, wharves, 25 or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto;	
Construction, etc., of works on docks, etc.	(c) To construct, regulate, operate and maintain railways, elevators, pipes, conduits, or other works or appliances upon the docks, wharves or channels or 30 any part thereof; and to control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation;	35
Poles, wires, machinery, etc.	(d) To prevent injuries to or encroachments upon any of the channels, harbours, wharves or waters generally within the limits of the harbour;	
Encroachments.	(e) To regulate and control the landing and shipping of explosives or inflammable substance;	40
Explosives.	(f) To maintain order and regularity and prevent theft and depredations;	
Order, prevention of theft.	(g) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law under the authority of this Act;	45
Rates, tolls and penalties.		

- (h) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kind of craft within the limits of the area over which the Corporation has jurisdiction; Control of boats, etc.
- 5 (i) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of payment of such pecuniary penalty and the costs of conviction, the period of imprisonment to be fixed by by-law not to exceed sixty days, nor to continue after such payment is made; Penalties for infringing Act or by-law.
- 10
- (j) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landed from or shipped on board of the same as they think fit, according to the use which may be made of such harbour and works aforesaid; Government of harbour. Tolls.
- 15
- 20 (k) For the doing of everything necessary for the effectual execution of the duties and powers vested in the Corporation. Execution of duties and powers.
2. No by-law shall have force or effect until confirmed by the Governor in Council and published in *The Canada Gazette*. Confirmation of by-laws.
- 25 3. Copies of any by-law certified by the secretary under the seal of the Corporation shall be admitted as full and sufficient evidence of the same in all courts in Canada. Copies, when evidence.
21. All by-laws, rules, regulations or orders of the Corporation shall remain in force until repealed, altered or amended under this Act. Existing by-laws, etc., continued till altered.
- 30

HARBOUR RATES.

22. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied herein. Valuation of goods. R.S., c. 48 to apply.
- 35
23. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes if it sees fit to do so. Recovery of rates.
- 40

Commuta-
tion of rates.

24. The Corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sums of money as the Corporation deems expedient.

SUMMARY PROCEEDINGS.

Seizure of
vessels.

25. The Corporation may, in the following cases, seize and detain any vessel at any place within the limits of the province of Ontario:— 5

- (a) Whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid;
- (b) Whenever the master, owner or person in charge of the vessel, has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty. 10

Seizure of
goods.

26. The Corporation may seize and detain any goods in the following cases:— 15

- (a) Whenever any sum is due for rates in respect of such goods, and is unpaid;
- (b) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has been incurred thereby. 20

Seizure and
detention to
be at owners'
risk.

27. Every seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all the sums due, and penalties incurred, together with all costs and charges incurred in the seizure and detention, and the costs of any conviction obtained for the infringement of any provision of this Act, or of any by-law in force under this Act, have been paid in full. 25

Duration.

May be
made with
or without
suits.

2. The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit, action or proceeding, or as incident thereto, or without the institution of any action or proceeding whatsoever. 30

Order for
seizure.

3. The seizure and detention may be effected upon the order of:— 35

- (a) any judge;
- (b) any magistrate having the power of two justices of the peace;
- (c) the collector of Customs at the port of Hamilton. 40

Application
for order.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person

whom the Corporation entrusts with the execution thereof; ^{Execution} and the said constable, bailiff or other person, may take all ^{of order.} necessary means and demand all necessary aid to enable ^{Aid.} him to execute the said order.

RESTRICTION.

5 **28.** The Corporation shall not have any transactions of ^{Pecuniary} any pecuniary nature, either in buying or selling, with any ^{transactions} members thereof, directly or indirectly. ^{forbidden.}

OATHS.

29. Whenever any person is required by or in pursuance ^{Administra-} of this Act to take any oath, any commissioner, the secretary ^{tion of oaths.} of the Corporation, the harbour master of Hamilton, or any justice of the peace, may administer such oath.

ACCOUNTING FOR MONEYS.

30. The Corporation shall keep separate accounts of ^{Accounts.} all moneys borrowed, received and expended by it under the authority of this Act; and shall account therefor annually to ^{Annual} the Governor in Council in such manner and form as he ^{reports to} may direct. ^{Governor} ^{in Council.}

LIMITATION OF SUMMARY PROCEEDINGS.

31. In the case of any violation of this Act, or of any ^{Limitation} by-law in force under this Act, no complaint or information ^{of actions.} shall be made or laid after two years from the time that the matter of complaint or information arose.

THE HOUSE OF COMMONS
OF CANADA.

BILL 23.

An Act respecting the Harbour of
Hamilton.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. STEWART,
(Hamilton).

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 24.

An Act respecting the Montreal Terminal Railway Company.

5 **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. 79;
1899, c. 76;
1904, c. 99;
1909, c. 110.

- 10 **1.** The agreement of the Montreal Terminal Railway Company with the Montreal Street Railway Company, dated the twenty-second day of September, one thousand nine hundred and eleven, as set forth in the Schedule to this Act, is ratified and confirmed, and the Montreal Terminal Railway Company is hereby authorized to fulfill and execute the conditions thereof, and to do everything necessary to give effect thereto.

Agreement
with
Montreal
Street Ry.
Co.
confirmed.

SCHEDULE.

MEMORANDUM OF AGREEMENT made this 22nd day of September, A.D., 1911, between the Montreal Terminal Railway Company, a corporation having its head office at the city of Montreal, in the Province of Quebec (hereinafter called "the Terminal Company,") of the one part, and The Montreal Street Railway Company, a corporation having its head office at the city of Montreal, aforesaid (hereinafter called "the Railway Company") of the other part.

Whereas the Terminal Company is indebted to the Railway Company in large sums of money;

And whereas the Terminal Company is authorized to enter into an agreement with the Railway Company for conveying or leasing its railway to such company in whole or in part, or any rights or powers acquired by it, as also

the surveys, plans, works, plant, machinery and other property to it belonging, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit, provided that such agreement has been first sanctioned by two thirds of the votes at a special general meeting of the shareholders of the Company, duly called for the purpose of considering the same, at which meeting shareholders representing at least two-thirds in value of the capital stock of the Company are present or represented by proxy;

And whereas the Railway Company is duly authorized to enter into such agreement;

Now this agreement witnesseth as follows:—

The Terminal Company hereby agrees to convey to the Railway Company its railway in whole and any rights or powers acquired by it, as also the surveys, plans, works, plant, machinery and other property to it belonging, and covenants and agrees to do and execute all such further acts, matters and things as may be requisite or necessary to fully carry into effect the foregoing agreement.

The Railway Company on its part, in consideration of the foregoing, hereby covenants and agrees:—

1. On the said agreement being duly confirmed, to release the said Terminal Company from all its indebtedness to it the Railway Company.

2. To pay, satisfy and discharge all the debts, liabilities and engagements of the Terminal Company and to keep the Terminal Company indemnified against all such debts, liabilities, obligations, contracts and engagements and against all actions, proceedings, costs, damages, claims and demands in respect thereof.

In witness whereof the parties hereto have respectively caused these presents to be executed under their respective corporate seals and by the hands of their proper officers.

Signed, Sealed and Delivered	{	MONTREAL TERMINAL RAILWAY COMPANY	(Seal)
in the presence of		C. H. Catelli,	President,
Geo. A. McNamee.		A. H. Elder,	Secretary.

MONTREAL STREET RAILWAY
COMPANY,
(Seal)
E. A. Robert,
President,
Patrick Dubee,
Secretary.

THE HOUSE OF COMMONS
OF CANADA.

BILL 24.

An Act respecting the Montreal
Terminal Railway Company.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. CODERRE.

THE HOUSE OF COMMONS OF CANADA.

BILL 25.

An Act respecting the Ottawa, Northern and Western 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.

1901, c. 80;

1902, c. 89;

1903, c. 173;

1905, c. 142;

1909, c. 118;

1910, c. 143.

1. The Ottawa, Northern and Western Railway Company may, within two years after the passing of this Act, commence the construction of any of the railways, extensions and branches authorized to be constructed by section 1 of chapter 84 of the statutes of 1899, and by section 1 of chapter 72 of the statutes of 1900, and may complete any of the said railways, extensions and branches and put them in operation within five years after the passing of this Act; and if any of the said railways, extensions or branches is not so commenced, or is not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of such railway, extension or branch, as then remains uncompleted.

Time for construction extended.

1899, c. 84;

1900, c. 72.

2. Chapter 143 of the statutes of 1910 is repealed.

Repeal.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 25.

An Act respecting the Ottawa, Northern
and Western Railway Company.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. FRIPP.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 26.

An Act to incorporate the Saskatchewan Life Insurance Company.

WHEREAS the persons hereinafter named have by their Preamble.
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
5 and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Charles Willoughby, capitalist, William Henry Incorporation.
Duncan, lumber merchant, David Low, physician, William
Thomas Mollard, gentleman, and George Herbert Barr,
10 barrister, all of the city of Regina, in the province of Sas-
katchewan, together with such persons as become share-
holders in the company, are incorporated under the name of
"The Saskatchewan Life Insurance Company," hereinafter Corporate
called "the Company." name.

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

3. The capital stock of the Company shall be one mil- Capital stock.
lion dollars.

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

5. The Company shall not commence business until Subscription
two hundred and fifty thousand dollars of the capital stock before
have been subscribed and sixty-five thousand dollars paid commencing
25 thereon. business.

6. The head office of the Company shall be in the city Head office.
of Regina, in the province of Saskatchewan.

Business authorized.

7. The Company may effect 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 generally carry on the business of life insurance in all its branches and forms.

5

1910, c. 32.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 26.

An Act to incorporate the Saskatchewan Life Insurance Company.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. MCKAY.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 27.

An Act respecting the Security Life Insurance Company of Canada.

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

Preamble
1907, c. 120;
1909, c. 123.

1. Section 4 of chapter 120 of the statutes of 1907 is repealed and the following is substituted therefor:—

New s. 4.

4. The Company may effect contracts of life insurance with any person, and may grant, sell or purchase life annuities, grant endowments contingent upon human life, issue policies entitling the holders thereof to participate in the profits of the Company, and generally may carry on the business of life insurance in all its branches and forms.”

Business.

2. Section 10 of the said Act is repealed and the following is substituted therefor:—

New s. 10.

10. At the third annual meeting of the Company, and thereafter at each annual meeting, there shall be elected by the participating policy-holders from and among their number six policy-holders' directors who are not shareholders.”

Policy-holders' directors.

3. The Security Life Insurance Company of Canada may use in any of its transactions the name of “La Sécurité du Canada Compagnie d'Assurance sur la Vie,” in place of “The Security Life Assurance Company of Canada,” and may contract and otherwise bind itself under either of the said names.

English or French name may be used.

THE HOUSE OF COMMONS
OF CANADA.

BILL 27.

An Act respecting the Security Life
Insurance Company of Canada.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. CODERRE.

THE HOUSE OF COMMONS OF CANADA.

BILL 28.

An Act respecting the West Ontario Pacific 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.
 1885, c. 87;
 1886, c. 70;
 1887, c. 62;
 1888, c. 53;
 1906, c. 178;
 1908, c. 169;
 1910, c. 176.

1. The West Ontario Pacific Railway Company may commence the construction of the line of railway authorized by section 1 of chapter 178 of the statutes of 1906 within two years after the passing of this Act, and may complete the said line of railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said line of railway is not so commenced, or 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 railway as then remains uncompleted.

Time for construction of branch line extended.

2. Chapter 176 of the statutes of 1910 is repealed.

Repeal.

THE HOUSE OF COMMONS
 BILL 28.
 THE WEST ONTARIO PACIFIC RAILWAY COMPANY.
 PASSED IN THE HOUSE OF COMMONS
 DECEMBER 9, 1911.
 MR. TROUBERT

THE HOUSE OF COMMONS
OF CANADA.

BILL 28.

An Act respecting the West Ontario
Pacific Railway Company.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. NESBITT.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 29.

An Act respecting the Dominion Guarantee Company, Limited, and to change its name to "The Dominion Gresham Guarantee and Casualty Company."

WHEREAS a petition has been presented praying that Preamble.
that it be enacted as hereinafter set forth, and it is 1893, c. 78;
expedient to grant the prayer of the said petition: There- 1894, c. 121;
fore His Majesty, by and with the advice and consent of 1901, c. 95;
5 the Senate and House of Commons of Canada, enacts as 1903, c. 113;
follows:— 1908, c. 102.

1. The name of the Dominion Guarantee Company, Change of
Limited, hereinafter called "the Company," is changed to name.
"The Dominion Gresham Guarantee and Casualty Com-
10 pany," 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 judg-
ment existing, either by, or in favour of, or against the Existing
Company, which, notwithstanding such change in the rights saved.
15 name of the Company, may be prosecuted, continued,
completed and enforced as if this Act had not been passed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 29.

An Act respecting the Dominion Guarantee Company, Limited, and to change its name to "The Dominion Gresham Guarantee and Casualty Company."

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. BARKER.

THE HOUSE OF COMMONS OF CANADA.

BILL 30.

An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expected 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.

1894, c. 103;
1896 (2nd
Sess.), c. 11.

1. The Montreal, Ottawa and Georgian Bay Canal Company may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and fourteen, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and twenty, and, subject to the provisions of this Act, may, in connection with such construction and operation, exercise all the powers granted to the said company by chapter 103 of the statutes of 1894; and if such construction is not so commenced and such expenditure is not so made, or if the said canals are not so completed and put in operation within the said periods respectively, the powers granted to the said company by Parliament shall cease and be null and void as respects so much of the said canals and works as then remains uncompleted.

Time for
construction
extended.

2. Section 4 of chapter 130 of the statutes of 1910 is repealed.

Repeal.

3. Section 6 of chapter 103 of the statutes of 1894, and section 3 of chapter 11 of the statutes of 1896 (Second Session), are repealed.

1894, c. 103;
1896 (2nd
Sess.), c. 11.
amended.

4. The survivors of the persons named in section 3 of chapter 103 of the statutes of 1894, as the said section is enacted by section 2 of chapter 11 of the statutes of 1896 (Second Session), shall be the provisional directors of the said company.

Provisional
directors.

THE HOUSE OF COMMONS
OF CANADA.

BILL 30.

An Act respecting the Montreal,
Ottawa and Georgian Bay Canal
Company.

First reading, December 5, 1911.

(PRIVATE BILL.)

MR. WHITE,
(Renfrew).

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

THE HOUSE OF COMMONS OF CANADA.

BILL 31.

An Act to amend the Quebec Harbour Commissioners Act, 1899.

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

1. Sections 7, 8, 9, 10, 11, 12, 13, 15 and 16 of *The Quebec Harbour Commissioners Act, 1899*, chapter 34 of the statutes of 1899 are repealed and the following sections are enacted as sections 7, 8, 9 and 10 of the said Act:—

“7. The corporation shall consist of three commissioners, appointed by the Governor in Council upon the recommendation of the Minister of Marine and Fisheries, and they shall hold office during pleasure.

“8. Two commissioners shall be a quorum. If a quorum be present and act, vacancies in the corporation shall not prevent or impair the effect of such action. It shall not be necessary for more than two commissioners to sign any debenture, bond or other security that may be issued by the commissioners.

“9. The Governor in Council may, from time to time, appoint one of the said commissioners as president of the corporation.

“10. The president and the other commissioners may be paid, out of the revenue of the harbour, such remuneration for their services as the Governor in Council determines.”

2. This Act shall come into force upon such day as the Governor General by proclamation directs.

1899, c. 34, ss. 7 to 13, and ss. 15 and 16, repealed.

New sections. Commissioners.

Quorum.

Signature to bonds, etc.

President.

Payment of commissioners.

Commencement of Act.

THE HOUSE OF COMMONS

BILL 31

Commissioners Act, 1899

First Session, December 9, 1911

MR. HERRICK

OLIVIER

Printed by the Queen's Printer, Ottawa, 1911.

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

THE HOUSE OF COMMONS OF CANADA

BILL 32.

An Act respecting Grain.

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 Canada Grain Act*. Short title.

INTERPRETATION.

- 5 2. In this Act, unless the context otherwise requires,— Interpreta-
tion.
- (a) "Minister" means the Minister of Trade and Commerce;
- (b) "Department" means the Department of Trade and Commerce;
- 10 (c) "Board" means the Board of Grain Commissioners for Canada;
- (d) "Secretary" means the Secretary of the Board;
- (e) "regulations" means regulations made by the Board under the authority of this Act;
- 15 (f) "officer" includes chief inspector, inspector, deputy inspector, chief weighmaster, weighmaster, assistant weighmaster, and the holder of any office created by the Board with the approval of the Governor in Council under this Act;
- 20 (g) "chief inspector" means a chief inspector of grain appointed or continued in office under this Act;
- (h) "inspector" means an inspector of grain appointed or continued in office under this Act;
- (i) "deputy inspector" means a deputy inspector of grain appointed or continued in office under this Act;
- 25 (j) "inspecting officer" means the inspector or deputy inspector by whom an inspection is made;
- (k) "division" means an inspection division established under this Act;

- (l) "district" means an inspection district or subdivision established under this Act;
- (m) "grain" means and includes all kinds and varieties of grain, the inspection of which is provided for by this Act; 5
- (n) "western grain" means grain grown in the western inspection division;
- (o) the expression "hard Red Fife Wheat" shall mean wheat that is red in colour and of the Red Fife variety;
- (p) "operator" or "lessee" includes any buyer of grain 10 having allotted to him any storage or working-space, or bin in any elevator or warehouse;
- (q) "applicant," referring to an applicant for cars, means any person who owns grain for shipment in car lots, or who is an operator of any elevator; 15
- (r) "agent" or "railway agent" includes any railway station agent;
- (s) "track-buyer" means any person, firm or company who buys grain in car lots on track;
- (t) "commission merchant" means any person who sells 20 grain on commission;
- (u) "person" means any person, firm or corporation;
- (v) "country elevator" includes such as are described in section 151 of this Act;
- (w) "public elevator" includes every elevator or ware- 25 house which receives grain for storage from the western inspection division, after such grain has been inspected under this Act;
- (x) "eastern elevator" includes every elevator or ware- 30 house at any point in the eastern inspection division used only for the storage of grain grown in that division, after inspection of such grain under this Act, or, if such grain, after being stored in such elevator, is subject to inspection under this Act on delivery out of such elevator; 35
- (y) "terminal elevator" includes every elevator or ware- house which receives or ships grain, and is located at any point declared by the Board to be a terminal;
- (z) "hospital elevator" includes every elevator or ware- 40 house situated at a terminal point which is used for the cleaning or other special treatment of rejected or damaged grain and which is equipped with special machinery for that purpose.

Division of
Act into
Parts.

2. The remainder of this Act is divided into three Parts, as follows:—

Part I comprising sections 3 to 17 inclusive; 45

Part II comprising sections 18 to 117 inclusive;

Part III comprising sections 118 to 246 inclusive and the Schedule of Forms therein mentioned.

PART I.

BOARD OF GRAIN COMMISSIONERS.

- 3.** There shall be a commission to be known as The Board of Grain Commissioners for Canada, which shall consist of three commissioners appointed by the Governor in Council. Board of Grain Commissioners.
- 5 **2.** Each commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, but he may be removed at any time by the Governor in Council for cause: Provided that when a commissioner reaches the age of seventy years his office shall, *ipso facto*, become vacant. Appointment of Commissioners and term of office.
- 10 **3.** A commissioner, upon the expiration of his term of office if under seventy years of age, shall be eligible for re-appointment. Re-appointment.
- 15 **4.** One of such commissioners shall be appointed by the Governor in Council as chief commissioner of the Board, and he shall be entitled to hold the office of chief commissioner so long as he continues a member of the Board. The chief commissioner, when present, shall preside at the meetings of the Board. Chief Commissioner.
- 20 **5.** Two commissioners shall be a quorum. No vacancy in the Board shall impair the right of the remaining commissioners to act. Quorum. Vacancy.
- 25 **6.** The chief commissioner shall be paid an annual salary of _____ dollars, and the other two commissioners shall each be paid an annual salary of _____ dollars. Salaries of Commissioners and Secretary.
- 4.** There shall be a secretary of the Board, who shall be appointed by the Governor in Council and hold office during pleasure. Secretary.
- 30 **2.** The secretary shall be paid an annual salary to be fixed by the Governor in Council. Salary.
- 5.** The commissioners and the secretary shall reside in the city of Fort William or Port Arthur, in the province of Ontario. Residence.
- 35 **6.** The commissioners and the secretary shall devote the whole of their time to the performance of their duties under this Act, and shall not accept or hold any other office or employment. Duties of Commissioners and Secretary.
- 40 **2.** No commissioner or the secretary shall directly or indirectly hold any interest in any corporation subject to this Act, nor directly or indirectly deal in or be financially interested in grain, nor hold any interest in any grain elevator or warehouse, or in any partnership, corporation or business. Must not deal in grain.

engaged in the grain trade, or in the transportation or storage of grain.

Oath of office.

7. The commissioners and the secretary shall, before acting as such, take and subscribe an oath of office before a Superior or County Court Judge, in the form following, 5 which oath shall be filed with the Department:

"I, A. B., do solemnly swear that I will faithfully, truly and impartially, to the best of my judgment, skill and understanding, execute and perform the office of chief commissioner [or commissioner, or secretary] of the Board 10 of Grain Commissioners for Canada, and that while I continue to be such chief commissioner [or commissioner, or secretary], I will not directly or indirectly deal in or be financially interested in grain or hold any interest in any grain elevator or warehouse, or in any partnership, corpora- 15 tion or business engaged in the grain trade or in the transportation or storage of grain. So help me God."

Appoint-
ments and
salaries under
the Board.

8. Every officer and employee attached to or under the authority of the Board shall be appointed by the Minister, and shall receive such salary or remuneration as is approved 20 by the Governor in Council upon the recommendation of the Board; provided that the Governor in Council may authorize the Board to make appointments of a temporary character and to fix the remuneration to be paid to temporary officers and employees. 25

Who shall be
continued in
office.

2. All persons now holding any office or employment under *The Manitoba Grain Act*, or under Part II of *The Inspection and Sale Act*, shall be continued in such office or employment or some other office or employment under this Act, subject to suspension or removal in the same manner 30 as if appointed under the provisions of this Act.

R.S., c. 83;
R.S., c. 85.

Salaries and
expenses of
Board, how
paid.

3. The salaries and remuneration of the commissioners and the secretary and of all officers and employees, and all the expenses of the Board incidental to the carrying out of this Act, including all actual and reasonable travelling 35 expenses, shall be paid monthly out of moneys provided by Parliament.

Permanent
offices for the
Board, Secre-
tary, etc.

9. The Governor in Council shall, upon the recommenda-
tion of the Minister, provide a suitable place in which the
sessions of the Board may be held, and also suitable offices 40
for the commissioners, secretary and other officers of the
Board.

Sittings
elsewhere.

2. In addition to the sessions of the Board to be held at
the place so provided, the Board may, when in its opinion
it is desirable so to do, hold sittings in any places in Canada. 45

Business and
quorum.

3. The Board shall sit at such times and conduct its pro-
ceedings in such manner as seems to it most convenient for
the speedy despatch of business.

- 10.** The Board may authorize any commissioner to hold any inquiry or make any investigation in any part of Canada. Inquiry by Commissioner.
- 11.** The Board may, with the approval of the Governor in Council, appoint any person having special or technical knowledge of the subject in question to assist in an advisory capacity in respect of any matter before the Board. Appointment of persons having technical knowledge.
- 12.** The Board may, with the approval of the Governor in Council, make regulations for and require the registration of terminal warehouse receipts and fix the fees therefor, and determine by whom they shall be payable. Warehouse receipts.
- 13.** The Governor in Council may authorize the Minister to construct, acquire, lease, or expropriate for His Majesty any terminal elevator if Parliament has granted the money for such purpose. Construction or acquiring of terminals.
2. *The Expropriation Act* shall, in any case, apply to the acquisition or lease of such terminal elevator and to the ascertaining of the compensation to be paid therefor. Expropriation Act to apply.
3. Upon the construction, acquisition, leasing or expropriation by His Majesty of any terminal elevator, the Board shall be charged with its operation and management, and the Board may, with the approval of the Governor in Council, make regulations for its management and operation and prescribe a tariff of fees and charges for the use thereof. Management and operation of terminals.
- 14.** The Board shall, within thirty days after the close of each calendar year, make to the Minister a report respecting— Report to Minister.
- (a) all such matters as appear to the Board to be of public interest in connection with the inspection, weighing, storage and transportation of grain; and
- (b) such matters as the Minister may direct.
- 15.** All railway and steamship companies shall furnish free transportation upon any trains and steamships for members of the Board and the secretary, and for such officers and staff of the Board as the Board determines. Free transportation of Board and staff.
- 16.** Any oath, the taking of which is hereinafter authorized or prescribed by this Act, may be administered by a commissioner or by the secretary. Administration of oath.
- 17.** All fines, penalties, fees and other revenue payable under this Act shall be paid to the Board; and the Minister may determine the manner in which such revenue shall be paid into the Consolidated Revenue Fund of Canada, what books shall be kept and returns made in connection therewith, and what security shall be given by the persons employed in the collection or management of such revenue. Revenue to be paid into Consolidated Revenue Fund.

PART II.

GENERAL.

- Inspection divisions and chief inspectors. **18.** The Board, with the approval of the Governor in Council, may establish inspection divisions in Canada, in and for which, respectively, it is expedient to appoint chief inspectors of grain, change the boundaries of any inspection division and appoint a chief inspector for each such inspection division, or for more than one such division. 5
- Duties. **19.** A chief inspector shall have, under the Board, the general supervision and control of inspectors and deputy inspectors in his division or divisions, and shall perform the duties hereinafter assigned to chief inspectors, or assigned to them by the Board. 10
- Regulations. **20.** The Board may, with the consent of the Governor in Council, make rules and regulations for the government, control, licensing and bonding of terminal and other elevators, and all other matters necessary to the proper carrying out of this Act. 15
- Inspection divisions. **21.** Subject to changes of boundaries as hereinbefore provided,—
- Eastern. (a) the Eastern Inspection Division shall consist of,—
 (i) that portion of Ontario lying east of the city of Port Arthur; 20
 (ii) the provinces of Québec, New Brunswick, Nova Scotia and Prince Edward Island; and
- Western. (b) the Western Inspection Division shall consist of,—
 (i) the provinces of Manitoba, Saskatchewan, Alberta and British Columbia; 25
 (ii) the Northwest Territories;
 (iii) that portion of the province of Ontario lying west of and including the city of Port Arthur.
- Subdivisions. **22.** The Board, with the approval of the Governor in Council, may establish inspection districts within any inspection division, and determine and vary the boundaries of such districts. 30
- Local limits. **23.** When the division has not been divided into districts, or when districts have not been established therein, or when for any reason it is considered expedient so to do, the Minister may appoint inspectors and deputy inspectors, as prescribed by subsection 1 of section 8, in and for any division, and in such case the Board may assign to inspectors and deputy inspectors local limits within which they shall perform their duties under this Act. 40

24. Chief inspectors, inspectors and deputy inspectors shall hold office during pleasure, and shall be appointed only from among duly qualified persons, certified as such by a board of examiners as hereinafter provided.

Qualifications of inspectors.

5 **2.** The chief inspector of any division shall have power to suspend any inspector or deputy inspector for cause.

Power to suspend.

25. An inspector or deputy inspector shall not ordinarily act as such except within the district for which he is appointed, or the local limits, if any, assigned to him; but the Board may authorize and require any inspector or deputy inspector to act temporarily in another district or beyond such limits.

Limits.

26. An inspector or deputy inspector who is appointed in and for a division, and to whom no local limits have been assigned, may act as such anywhere within the division.

When no local limits.

DUTIES OF INSPECTORS.

15 **27.** It shall be the duty of an inspecting officer to inspect grain when called upon so to do by the owner or possessor thereof or his authorized agent, and without unreasonable delay to issue his certificate of such inspection, specifying the grade of such grain; but, before undertaking an inspection or issuing a certificate, an inspecting officer shall require the production of satisfactory evidence of ownership or possession or authorized agency.

Duties of inspecting officers.

28. All chief inspectors, inspectors and deputy inspectors of wheat and other grain, at present in office, shall respectively, until otherwise provided, be chief inspectors, inspectors and deputy inspectors of grain under this Act in and for the divisions and districts respectively for which they have been appointed, or with authority to act within such local limits as have been assigned to them respectively, and be entitled in respect of their duties as such to the salaries or fees to which they have respectively been heretofore entitled in respect of the like duties.

Present officers.

29. Every chief inspector, inspector or deputy inspector shall, before acting as such, take and subscribe before a commissioner or notary public, an oath of office in the form or to the effect following:—

Oath of inspector.

“I, A. B., do solemnly swear, that I will faithfully, truly and impartially, to the best of my judgment, skill and understanding, execute and perform the office of chief inspector of grain [or inspector of grain, or deputy inspector of grain] and that while I continue to be such chief inspector [or inspector, or deputy inspector], I will not directly or indirectly, by

myself or by any other person or persons, deal or trade in any grain on my account, or upon the account of any other person or persons. So help me God."

- 30.** Every chief inspector, inspector and deputy inspector shall, before acting as such give security for the due performance of the duties of his office, in such sum as the Board directs, and such security shall avail to the Crown, and to all persons aggrieved by any breach of the conditions thereof. 5
- 31.** In the event of the death, resignation, absence or inability to act, dismissal or suspension of any inspector, his senior deputy inspector shall perform all the duties of the inspector until his successor is appointed, or until such absence, inability or suspension ceases. 10
- 32.** Inspecting officers shall grade all grain in accordance with the grades defined in this Act, and samples shall be made under the direction of the chief inspector of each division in accordance with such grades for the purposes of grading and of appeals therefrom to a grain survey board or to the chief inspector under the provisions hereinafter contained. 15
20
- 33.** The chief inspector and the inspectors for the division shall, not later than the seventh day of October in each year, establish standards for the different grades of grain, which shall be known as official standards.
- 2.** Any such inspector shall, upon request therefor, furnish a sample of any such grade of grain, accompanied by a specific statement that it is the official standard for that grade. 25
- 3.** For all samples so furnished the inspector shall make such charge as is approved by the Board. 30
- 34.** No inspecting officer shall in any case make the grade of any lot of grain inspected by him above that of the poorest quality found therein, if he is satisfied that the grain has been improperly loaded for the purposes of deception.
- 35.** No inspecting officer shall inspect grain being laden or about to be laden on vessels or cars after dark or in wet weather except on receipt, personally, or through the office of the chief inspector, of an application from the owner or possessor of the grain or his authorized agent, written upon one of the printed forms furnished by the Board and signed by such owner or his authorized agent, relieving him, the inspecting officer, from responsibility for damage which may be caused by such wet weather, darkness, or for loss arising 35
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from errors liable to occur in an inspection under such circumstances.

2. In every case of such inspection the inspecting officer shall be personally present when the grain is actually delivered on board. Inspecting officer to be present.

36. The Board may require any inspector or deputy inspector to make such returns or reports of his official acts to it, or to any board of trade or chamber of commerce, in such form and containing such particulars and information as it deems expedient. Reports.

37. Every inspector of grain shall keep a proper book or books in which he shall enter an account of all grain inspected and the amount paid for such inspection. Account books.

38. For the purpose of verifying any statement made by an inspecting officer of the quantity of grain inspected or weighed by him at any public, eastern or terminal elevator, the books kept in connection with such elevator shall at all times be open to inspection by any authorized officer of the Board. Books open to inspection.

39. All inspectors and deputy inspectors of grain shall, at all times during ordinary business hours, be at full liberty to examine all grain stored in any public, eastern or terminal elevator; and all proper facilities shall be extended to them by the warehouseman, his agents and servants, for an examination, and all parts of public, eastern or terminal elevators shall be open to examination and inspection by any inspector or deputy inspector. Grain in terminal elevators.

BOARD OF EXAMINERS.

40. The Board may appoint in and for any division or district such number of fit and skilful persons as it deems necessary, to be a board of examiners, to examine and test the ability and fitness of applicants for certificates of qualification to act as chief inspectors, inspectors or deputy inspectors. Grain examiners.

41. The members of any such board shall hold office during pleasure, and each of them, before acting as examiner, shall take before a commissioner or notary public an oath in the form or to the effect following:— Oath of office.

“I, A. B., do swear that I will not, directly or indirectly, personally or by means of any person or persons in my behalf receive any fee, reward or gratuity whatever by reason of

any function of my office of examiner, except such as I am entitled to receive by law, and that I will therein well and truly, in all things, act without partiality, favour or affection, and to the best of my knowledge and understanding. So help me God." 5

Record of oaths.

42. Every oath of office required under this Act, except those of the commissioners and secretary, shall be transmitted to and filed with the Board, and the judge, commissioner, notary public, commissioner or secretary of the Board administering the oath shall keep in custody a copy thereof certified by him as such. 10

Evidence of oath.

2. Any copy certified by the secretary of the Board shall be *prima facie* evidence of such oath.

Certificates of qualification.

43. Boards of examiners shall grant certificates as to the qualifications of the candidates who present themselves for examination, but only such certificates as the knowledge and proficiency of such candidates require or justify. 15

Inspector must hold certificate.

44. No person shall be appointed as chief inspector, inspector, or deputy inspector in any division who has not been examined by, and received a certificate of qualification to act as chief inspector, inspector or deputy inspector from, the board of examiners of the division or of some district therein. 20

Report to Board.

45. When a board of examiners grants any certificate of qualification, a report thereof shall forthwith be made to the Board. 25

Fees for examination.

46. Every candidate for examination by a board of examiners shall, before the examination is held, pay to the board a fee not exceeding twenty dollars, which shall be divided among the members of the board in such manner as they direct. 30

COMMERCIAL GRADES.

Commercial grades established.

47. If a considerable portion of the crop of wheat or any other grain for any one year in any division has any marked characteristics which exclude it, to the prejudice of the producer, from the grade to which it otherwise belongs, special grades may be established therefor in the manner herein-after provided, and shall be called and known as commercial grades. 35

GRAIN STANDARDS BOARD.

- 48.** The Board may appoint, for any division or district, as a grain standards board, such number of fit and skilful persons as it deems necessary, for the purpose of establishing such commercial grades and of choosing samples of 5 such grades to be the standards therefor; and the appointment of such persons by the Board shall be held to be permanent and effective until superseded and replaced by other appointments by the Board for that purpose. Standards established by grain standards board.
2. The persons so appointed shall only select and 10 establish the standards found necessary, to be designated as commercial grade; and in the inspection of all grain other than that subject to be graded as commercial grade, the inspectors shall be governed by the grades established by this Act. Standards.
- 15 **49.** The chief inspector shall distribute portions of all standard samples so chosen to such persons as the Board directs, and in the inspection of grain of marked characteristics as aforesaid inspecting officers shall be governed by the samples so chosen. Samples.
- 20 **50.** The packages containing the samples so distributed, and the certificates granted by inspecting officers in relation to such grain, shall be marked "Commercial grade." Special marks.
- 51.** A grain standards board shall be summoned for the establishment of commercial grades and the selection of 25 samples thereof whenever the chief inspector of the division or three members of the said board notify the chairman of the said board that such a course is necessary. Summoning of grain standards board.

GRAIN SURVEY BOARD.

- 52.** The Board, on the recommendation of the boards of trade of Toronto and Montreal respectively, may appoint 30 for any eastern division or district a grain survey board composed of such number of fit and skilful persons as is in each case considered necessary. Grain survey board.
2. Such board shall have the powers and be charged with the duties hereinafter defined and set forth, which powers 35 and duties shall be exercised and performed in accordance with any regulations made by the Board in that behalf. Powers and duties.
- 53.** The Board may make by-laws for any grain survey board for the better carrying out of its business and for the establishment of a tariff of fees for survey purposes. By-laws.

Oath of
office.

54. The members of a grain survey board, before acting as such, shall take an oath of office in such form as is prescribed by the Board and approved of by the Governor in Council.

Disputes as
to grading
of grain.

55. Whenever, in a division or district for which a grain survey board has been appointed, the owner or possessor of any grain inspected therein is not satisfied with the inspecting officer's grading of such grain, he may appeal therefrom to the chief inspector, who shall view a proper sample of the grain respecting which the grading is in dispute, drawn or secured in a manner satisfactory to him, and give his decision thereon, which shall be final, unless the owner or possessor, within twenty-four hours after receiving the notification thereof, makes further appeal to the grain survey board for the division or district, in which case the said board shall give a decision which shall be final.

Appeal
direct to
the board.

2. Notwithstanding anything in this section the owner or possessor of the grain may appeal directly from the inspecting officer to the said board, whose decision in all cases shall be final and binding on all parties, and the inspecting officer shall issue a certificate accordingly.

Proviso.

3. No appeal shall be considered in any case where the identity of the grain in dispute has not been preserved.

Costs of
appeal.

4. If the grading of the inspecting officer is confirmed by the said board, the costs of the appeal not exceeding in any case the sum of five dollars shall be paid by the owner or possessor of the grain, otherwise by the Board.

Members
ex officio.

56. The Board may appoint a chief inspector of any division to be *ex officio* a member of any board of grain examiners, grain standard board, or grain survey board within his division.

SALE OF GRAIN.

Sale by
sample.

57. Nothing in this Act shall prevent any person from selling or buying grain by sample regardless of its grades.

Weight of
bushel.

58. In contracts for the sale and delivery of any of the undermentioned articles, the bushel shall be determined by weighing, unless a bushel by measure is specially agreed upon and the weight equivalent to a bushel shall, except as hereinafter provided, be as follows:—

Barley, forty-eight pounds;

Buckwheat, forty-eight pounds;

Flax-seed, fifty-six pounds;

Indian corn, fifty-six pounds;

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Oats, thirty-four pounds;
 Peas, sixty pounds;
 Rye, fifty-six pounds;
 Wheat, sixty pounds.

FEES.

- 5 **59.** The fees for the inspection of grain shall be as follows: Fees.
 Grain in sack, one-third of a cent per cental;
 Grain in bulk, per carload, fifty cents;
 Grain in cargoes, per one thousand bushels, fifty cents.

10 **60.** The Board, with the approval of the Governor in
 Council, may increase or reduce the fees for the inspection of grain, and may prescribe scales of fees differing from each other, for the several divisions or districts or at any point where inspection is made. Alteration
of fees.

15 **61.** The inspection and weighing fees upon grain inspect-
 ed or weighed within any division or district shall be treated Advance
charges.
 as advanced charges, to be paid by the carrier or warehouse-
 man in whose possession the grain is at the time of its inspec-
 tion or weighing, and, unless otherwise provided, shall be
 paid through the chief inspector or inspectors to the Board Disposal
of fees.
 20 for deposit to the Consolidated Revenue Fund of Canada,
 and accounts thereof shall be kept in such manner and in
 such detail as is determined by the Minister.

WEIGHMASTERS.

25 **62.** The Minister may appoint in and for each division a
 chief weighmaster, whose duties and powers shall be defined Appointment
of weigh-
masters.
 by the Board, and may also, in any place where inspection of
 grain is authorized under this Act, or where is situate any
 public, eastern or terminal elevator, appoint a weighmaster
 and such assistants as are necessary.

30 2. Such weighmasters and assistants shall receive such Salary.
 compensation, by fees or otherwise, as is determined by
 the Governor in Council, upon recommendation of the
 Board.

35 **63.** Every weighmaster or assistant weighmaster so
 appointed shall, before exercising the duties of his office, Oath of
office.
 subscribe to an oath of office, and furnish a guarantee bond
 in such amount as the Board directs.

64. The offices of chief weighmaster and chief inspector Combination
of offices.
 in each division may be combined until otherwise ordered
 by the Board.

Powers of weigh-
master.

65. The weighmasters and assistants in each division shall, under the direction of the chief weighmaster, supervise and have exclusive control of the weighing of grain inspected subject to inspection or otherwise, or received into or shipped out from any public, eastern or terminal elevator. 5

Certificate of weight, etc.

66. Every such weighmaster or assistant shall give upon demand to any person having weighing done by him, a certificate under his hand, showing the amount of each weighing, the number of each car or cargo weighed, the initial of the car, the place where weighed, the date of 10 weighing and the contents of the car or cargo.

Evidence.

2. Such certificate shall be, in all cases, *prima facie* evidence of the facts therein contained.

Record to be kept.

67. All weighmasters and their assistants shall make true weights, and keep a correct record of all weighing done 15 by them at the places for which they are appointed, in which record shall be entered an accurate account of all grain weighed, or the weighing of which was supervised by them or their assistants, giving the amount of each weight, the number of each car weighed, the initial letter 20 of each car or the name of each vessel, the place where weighed, the date of weighing, and the contents of the car or cargo; if the car is leaking or in bad order the record shall state the fact.

Certified extract from weigh-
master's record.

2. An extract from the record kept by any weighmaster 25 or assistant in pursuance of this section, certified by the chief inspector or the chief weighmaster of the division, or by any officer in the office of either of them, shall be *prima facie* evidence of the facts set forth in such extract.

Fees.

68. The fees for the weighing of grain shall be such as 30 are determined by the Board which, with the approval of the Governor in Council, may increase or reduce them.

Rules and regulations.

69. The Board may make rules and regulations for the weighing of grain in any division. 35

OFFENCES AND PENALTIES.

Interfering with weigh-
master.

70. If any owner, lessee or other occupant of any terminal elevator, by himself or by his agent or employee, refuses or prevents a weighmaster or any of his assistants from having access to such elevator or to any scales therein or connected therewith, in the regular performance of his 40 duties in supervising the weighing of grain in accordance with this Act, he shall, upon summary conviction, be liable

enalty.

to a penalty not exceeding one hundred dollars for each offence.

- 71.** Every inspector or deputy inspector who on application to him, made personally, or by writing left at his office, Refusal to inspect.
 5 on any lawful day between sunrise and sunset, by any owner or possessor of grain, neglects or refuses to proceed forthwith to such inspection, if he is not at the time of such application employed in inspecting elsewhere, shall, for every such neglect or refusal, forfeit and pay to the Penalty.
 10 person so applying twenty dollars, over and above all damages occasioned to the person complaining by such neglect or refusal, recoverable upon summary conviction before any one justice of the peace.
- 72.** Every inspector or deputy inspector who,— Violation of this Act.
 15 (a) without authority inspects grain out of the local limits for which he is appointed; or,
 (b) gives any wilfully false or untrue certificate; or,
 (c) connives at or is privy to any fraudulent evasion of this Act; or,
 20 (d) otherwise violates any provision of this Act;
 shall, for each offence, on summary conviction before two justices of the peace, be liable to a penalty of one hundred Penalty.
 dollars, and shall forfeit his office, and be disqualified from ever after holding the same.
- 73.** Every person, not thereunto duly authorized under Unauthorized person acting as inspector.
 25 this Act, who in any manner whatever assumes the title or office of inspector or deputy inspector, or issues any certificate purporting to establish the quality of any grain shall, for every such offence, on summary conviction, be Penalty.
 30 liable to a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.
- 74.** Every person who, with a fraudulent intention, Fraudulent use of inspector's certificate.
 uses an inspector's certificate or bill of inspection in connection with grain other than the grain in connection with Penalty.
 3 which such certificate or bill of inspection was issued, is guilty of an indictable offence and liable to imprisonment for a term not exceeding three years, or to a penalty not exceeding five hundred dollars, or to both.
- 75.** Any person who directly or indirectly gives or offers, Bribes, threats, violence to influence inspector.
 40 or promises to give, or procures to be given, any bribe, recompense or reward to, or makes any collusive agreement with, any inspector or deputy inspector, or who makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction of any injury or loss

Punishment. upon any inspector or deputy inspector, or upon any other person, in order to improperly influence such inspector or deputy inspector in the performance of his duties under this Act, is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years or to a penalty not exceeding two hundred dollars, or to both. 5

Evading law as to weight of bushel. **76.** Every person who violates any provision of this Act, providing that a bushel of grain shall be determined by weighing and specifying the number of pounds such bushel shall contain, shall, for a first offence, be liable on summary conviction to a penalty not exceeding twenty-five dollars and for each subsequent offence to a penalty not exceeding fifty dollars. 10

Penalty.

Penalty for returning grain to elevator without permission. **77.** Every elevator operator who allows the grain in a car which has been ordered east from Winnipeg or St. Boniface, for which he has signed a bill of lading and from which a sample of grain has been drawn for inspection as provided in subsection 3 of section 91 of this Act, to be returned, without the permission of the chief grain inspector, to the elevator from which it was loaded shall, for each offence, be liable to a penalty not exceeding fifty dollars. 15 20

PROCEDURE.

Limitation of time for commencing suits. **78.** Every action brought against any person for anything done under this Act, or contrary to its provisions, shall be commenced within eighteen months next after the right to bring such action accrued, and not afterwards; and the defendant therein may plead the general issue, and that the thing was done under this Act, and may give this Act and special matter in evidence at any trial thereof; and if it appears so to have been done, then the judgment shall be for the defendant. 25 30

Costs. 2. If the plaintiff is non-suited or discontinues his action after the defendant has appeared, or if judgment is given against the plaintiff, the defendant shall recover all costs and have the like remedy therefor as defendants have in other cases. 35

EASTERN INSPECTION DIVISION.

Eastern inspection division. **79.** The provisions contained in sections 80 to 84, both inclusive, apply only to the Eastern Inspection Division; and apply to all grain grown in that division, to the exclusion of any provisions of this Act inconsistent with them or dealing with like matters. 40

80. All grain shipped from any eastern elevator shall be shipped out as graded into such elevators by the inspecting officers. Grain shipped from public elevators.

2. Should any person interested in such grain have reason to believe that it has gone out of condition or has deteriorated in quality since it was originally inspected, any inspector may, at his request, re-inspect such grain; and, in case he finds that it is out of condition or has become deteriorated in quality, he shall endorse across the face of the original certificate a statement of the facts, with the date and place where the re-inspection was made and shall attach his signature thereto; but under no circumstances shall such grain be mixed or regraded. Re-inspection.

81. If otherwise shipped, a certificate for a straight grade shall be refused and the quantity of each grade composing the mixed cargo, or carload if shipped by rail, shall be written across the face of the certificate. When otherwise shipped.

82. All grain of the same grade shall be kept together and stored only with grain of a similar grade. Grain of same grade kept together.

2. Should different grades be loaded together in the same compartment of any vessel at any point within the division, a certificate shall be issued for such mixed cargo, which certificate shall have written across its face a statement of the quantities of each grade entering into the composition of such mixed cargo; but no certificate for a straight grade shall be issued for such mixed cargo. Certificate for mixed cargo.

83. Inspection shall be refused whenever any lot of grain is so situated that the inspecting officer cannot obtain such samples thereof as he considers necessary to a thorough inspection. Refusal of inspection.

84. Duplicate inspection certificates shall accompany all grain inspection east of Port Arthur to its destination in Canada, and no re-inspection shall be permitted unless there is reason to believe that the grain has gone out of condition or has deteriorated in quality since it was originally inspected, in which case any inspecting officer may inspect such grain and, if he finds that it has so gone out of condition or deteriorated, he shall issue a certificate in accordance with the facts. Duplicate certificate.

2. No such inspection shall take place unless the identity of the grain has been preserved. Identity of grain.

WESTERN INSPECTION DIVISION.

Western
Inspection
Division.

85. The provisions of sections 86 to 104, both inclusive, relate only to the Western Inspection Division, and apply to all grain grown in that division, to the exclusion of any provisions of this Act inconsistent with them or dealing with like matters.

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*Selection of Grades.*Samples of
grading.

86. Inspecting officers shall be required and instructed to grade in accordance with this Act all grain defined therein, and standard samples shall be made in accordance therewith for the purpose of grading and surveys.

Commercial
grades.

87. Should the climatic or other conditions result in the production of a considerable proportion of grain, other than oats, not capable of being included in the classification provided for in this Act, the grain standards board for the division shall be convened for the selection of commercial grades and samples whenever the chairman of the said board is notified by the chief inspector or five members of the said board that such a course is necessary.

How
selected.

Their use.

2. Inspecting officers shall grade all classes of grain which cannot be graded according to this Act, in accordance with the commercial samples so selected by the board.

Further
selections by
a committee
of the board.

88. In case the lateness of harvesting or climatic conditions prevent the procuring of proper and representative samples of any quantity of grain of the crop of that year in time for the purposes of inspection thereof and action thereon at any meeting of the grain standards board convened for the purpose of selecting commercial grades, the board at such meeting may authorize a committee of such number of its members as it may appoint to meet at a later date and to select such further commercial grades and samples as the character of the samples so procured may require; and the commercial grades and samples so selected by such committee shall be deemed, for all purposes of inspection and grading, to have been chosen by the full board.

Establish-
ment of
standards.Samples of
grain.

89. The chief inspector and the inspectors for the division shall, not later than the first day of October in each year, establish standards for the different grades of grain, which shall be known as official standards.

2. Any such inspector shall, upon request therefor, furnish a sample of any such grade of grain, accompanied by a specific statement that it is the official standard for that grade.

3. The inspectors shall also supply cargo samples when required. Cargo samples.

4. For all samples so furnished the inspector shall make such charge as is approved by the Board. Charges.

Method of Inspection.

5 **90.** All grain placed in public or terminal elevators east of Winnipeg, in the division, shall be subject to inspection, both inwards and outwards. Inspection east of Winnipeg.

91. All grain produced in the provinces of Manitoba, Saskatchewan and Alberta and in the Northwest Territories, passing through the Winnipeg district *en route* to points to the east thereof shall be inspected at Winnipeg or a point within the district; and, on all grain so inspected, the inspection shall be final as between the western farmer or dealer and the Winnipeg dealer. Grain to be inspected in Winnipeg district.

15 2. Grain which is shipped from points west of Winnipeg to Winnipeg for orders, as provided in section 208 of this Act, and which goes forward without delivery in Winnipeg, shall be inspected at Winnipeg and the certificate of inspection shall be issued at the end of the period of detention: Inspection at Winnipeg. Pro- Proviso.

20 vided, however, that on the written order of the agent of the shipper a car of grain held at Winnipeg shall be inspected on its arrival and the certificate of inspection issued.

3. In the case of grain which is being shipped east from an elevator in Winnipeg or St. Boniface, the sample for inspection shall not be drawn from any car until the car has been billed for shipment by the railway company. Drawing of sample.

4. When, owing to extreme pressure of business, the railway company, or other transportation company, finds that cars containing grain are being unduly delayed for inspection purposes in Winnipeg, then the Company, upon notification to, and with the consent of, the chief inspector, or, in his absence, the inspector, may remove a special number of cars to Fort William without inspection at Winnipeg. Exception from foregoing.

5. Any grain inspected at Winnipeg or other Western point may be re-inspected at Fort William or other terminal elevators in the division without additional charge; but any grain not inspected west of Fort William shall be inspected at that point, and a certificate shall be issued on payment of the usual fee. Re-inspection at Fort William.

40 6. If any car on its arrival at a terminal elevator is found by the inspector to be plugged or wrongfully loaded, the grain in such car shall be re-inspected, and if the first inspection is altered the original certificate shall be recalled and a new one shall be issued in accordance with the re- Re-inspection at terminal elevators.

45 inspection and shall be final.

Notice to be given of arrival of grain.

7. Railway companies and other transportation companies shall notify the inspection department of the arrival of cars of grain at points where inspection is authorized and of the position of such cars in the railway yard, and such cars shall not go forward until inspected.

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Grain shipped as graded into elevators.

92. Except as provided by section 124 in the case of hospital elevators, all grain shipped for eastern points from any terminal or public elevator within the division shall be shipped only as graded into such elevators by the inspecting officers: Provided that when grain has deteriorated or changed condition in storage, the inspecting officer shall issue only a certificate in accordance with the facts.

Proviso.

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Refusal of Western certificate.

93. If otherwise shipped, a Western Inspection Division certificate for a straight grade shall be refused, and the quantity of such grade composing the mixed cargo or carload, if shipped by rail, shall be written across the face of the certificate.

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Storing, Cleaning and Binning.

Grain of same grade kept together.

94. All grain of the same grade shall be kept together and stored only with grain of a similar grade, and a selection of different qualities of the same grade is prohibited.

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Certificate when mixed cargo.

2. Should grain of different grades be loaded together in the same compartment of any vessel, at any point within the division, a certificate shall be issued for such mixed cargo, which certificate shall have written across its face a statement of the quantities of each grade entering into the composition of such mixed cargo, but no certificate for a straight grade shall be issued for such mixed cargo.

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Inspector to have control of storage and shipping of grain.

95. All grain stored as aforesaid shall be binned under the direction, supervision and control of the inspector, deputy inspector or inspecting officer. The inspector, deputy inspector, or inspecting officer shall have full control of all grain in terminal elevators and no grain shall be shipped out of, transferred or removed from any terminal elevator without his supervision.

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Records.

2. The inspector shall keep the proper records of all grain received into store in any terminal elevator, which records shall show the particulars of each parcel or car-lot of grain received, the date received, the grade, the dockage, if any, and the number of the bin in which such grain has been stored; and he shall keep similar records of all grain shipped from any terminal elevator, which records shall also give the name of the vessel or the number of the car into which such grain has been delivered.

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3. No grain shall be transferred from one bin to another in a terminal elevator without the supervision of the proper inspecting officer, who shall record such transfer in proper books. Transfer from one bin to another.
- 5 4. No grain shall be specially binned for any person, firm or corporation in any terminal elevator except in cases where it is found to be out of condition on arrival at such terminal elevator, and in cases where it has gone out of condition while in store as provided in sections 140 to 144 of this Act, and except as provided in section 229 of this Act. Special binning forbidden.
- 10 5. All grain marked by the inspecting officer for cleaning shall be cleaned under his supervision, and the inspector may condemn any cleaning machine which in his opinion is not doing satisfactory work and may order machines installed which will satisfactorily clean such grain to its proper grade; and he shall also have the power, where he finds the cleaning facilities inadequate, to order the installation of such additional machines as will meet the requirements. Powers of inspector as to cleaning.
- 20 6. Where grain rejected for dirt is ordered to be cleaned by the owner the cleaning shall be subject to the provisions of the inspecting officer. Cleaning by owner.
- 25 7. In the month of August in each year stock shall be taken of the quantity of each grade of grain in the terminal elevators, and at any time that the Board deems it advisable it may order an additional weigh-up or stock-taking in any terminal elevator. Stock-taking.
- 30 **96.** The Board may make such rules and regulations as are necessary for the control of the binning and cleaning of all grain stored in terminal elevators, including the transferring of grain from one bin to another and the delivery of grain from the bins into cars, vessels or other receptacles. Regulations as to binning and cleaning.
- 35 **97.** The certificates of inspection given by inspecting officers shall in all cases accompany the grain to its destination. Certificate to accompany grain.
- 40 **98.** No certificate shall be issued east of the Western Inspection Division for western grain, whether such grain goes forward in bulk or in cars. East of Western Division
- 45 2. Should any person interested in such grain have reason to believe that it has gone out of condition or has deteriorated in quality since it was originally inspected, any inspector may at his request inspect such grain and, in case he finds it is out of condition or has become deteriorated in quality, he shall endorse across the face of the If grain suspected be out of condition.

- original certificate a statement of the facts with the date and place where the re-inspection was made, and shall attach his signature thereto; but under no circumstances shall such grain be mixed or re-graded.
- Identification of grain. 3. The Board shall issue such rules and regulations governing the inspection and outward shipments of grain from any elevator under their control as will satisfactorily identify the inspection certificates with the lake bill or the railway shipping bill and the lot or parcel of grain covered by such certificate. 5 10
- Systematic reduction of quality. **99.** When grain shipped from any elevator is being systematically reduced in quality below the general average quality of the grain of similar grades in the bins of the terminal elevators, the chief inspector shall instruct inspecting officers that no such grain shall be allowed to pass inspection except on a lower grade. 15
- Investigation by chief inspector. 2. The inspectors shall at all times keep careful watch on grain received into terminal elevators, and, if they find any such grain as aforesaid being received, shall at once notify the chief inspector, who shall make an investigation forthwith and take action accordingly. 20
- Unclean grain. **100.** In the case of unclean grain inspected in the Western Inspection Division, the inspector shall state in his certificate the percentage of dirt necessary to be removed in order to clean the grain to the grade certified. 25
- Samples. 2. If the grain is found to be excessively dirty and it is impracticable for the inspector when grading such grain in cars to ascertain the percentage of dirt, the inspector, from the sample taken when the cars are being unloaded, shall ascertain and state the percentage of dirt and seeds necessary to clean such grain to grade. 30
- Domestic grain. 3. In such case, if the dockage contains a proportion of domestic grain, that proportion shall be marked on the certificate.

GRAIN SURVEY BOARD.

- Disputes as to grading. **101.** Whenever, in a division or district from which a grain survey board has been appointed, the owner or possessor of any grain inspected therein is not satisfied with the inspecting officer's grading of such grain, he may appeal therefrom to the chief inspector, who shall view a proper sample of the grain respecting which the grading is in dispute, drawn or secured in a manner satisfactory to him, and give his decision thereon, which shall be final unless the owner or possessor, within twenty-four hours after receiving the notification thereof, makes further appeal to the grain survey board for the division or district, in which case the said board 35 40 45

shall give a final decision to settle the grading of the grain in dispute; but nothing in this section shall prevent the owner or possessor of the said grain appealing directly from the inspecting officer to the said board, whose decision in all cases
 5 shall be final and binding on all parties, and the inspecting officer shall issue a certificate accordingly. If the owner or possessor so desires he may call for a fresh sample to be drawn by the inspector for use on re-inspection or survey, the expense thereof to be borne by the applicant, and in case it
 10 be drawn for the purpose of survey it shall be sent to the secretary of the said board.

Fresh sample
may be
required.

2. No appeal shall be considered in any case where the identity of the grain in dispute has not been preserved.

When no
appeal.

3. If the grading of the inspecting officer is confirmed by
 15 the said board the costs of the appeal, not exceeding in any case the sum of five dollars, shall be paid by the owner or possessor of the grain, otherwise by the Board.

Cost of
appeal.

102. The grain survey board for the division shall consist of twelve persons, of whom six shall be nominated by the
 20 Board of Trade of the City of Winnipeg, two by the Minister of Agriculture for the province of Manitoba, two by the Minister of Agriculture for the province of Alberta, and two by the Commissioner of Agriculture for the province of Saskatchewan. The competency of the persons so nominated
 25 must be approved by the Board.

Grain survey
board.

2. The grain survey board shall be governed in the performance of his duties by such general regulations as are made by the Board.

Regulations.

3. The members of the grain survey board, before acting
 30 as such, shall take an oath of office in such form as is prescribed by the Board and approved of by the Governor in Council.

Oath.

103. The Board may make by-laws for the better carrying out of the business of the grain survey board and for the
 35 establishment of a schedule of fees for survey services.

By-laws.

104. The offices of the grain survey board shall be in the city of Winnipeg; but for the purpose of better conducting any particular survey, they or any number duly appointed in any special case may hold sittings at any other place in
 40 the division.

Offices in
Winnipeg.

GRADES GENERALLY.

Qualities of
grain.**105.** The grades of grain shall be as follows:—*Spring Wheat.*

Spring wheat.

No. 1 spring wheat shall be sound and clean, weighing not less than 60 pounds to the bushel.

No. 2. spring wheat shall be sound and reasonably clean, weighing not less than 58 pounds to the bushel.

No. 3 spring wheat shall comprise all sound wheat not good enough to be graded as No. 2, weighing not less than 56 pounds to the bushel.

Rejected spring wheat shall comprise all spring wheat fit for warehousing, but too low in weight or otherwise unfit to be graded as No. 3. 10

Goose Wheat.

Goose wheat.

No. 1 goose wheat shall be plump and clean, weighing not less than 61 pounds to the bushel.

No. 2 goose wheat shall be plump and reasonably clean, weighing not less than 59 pounds to the bushel. 15

No. 3 goose wheat shall comprise such as is not good enough to be graded as No. 2, reasonably clean and weighing not less than 55 pounds to the bushel.

*Winter Wheat.*Winter
wheat.

Extra white winter wheat shall be pure white winter wheat sound, plump and clean, weighing not less than 62 pounds to the bushel. 20

No. 1 white winter wheat shall be pure white winter wheat, sound, plump and clean, weighing not less than 60 pounds to the bushel.

No. 2 white winter wheat shall be white winter wheat, sound and reasonably clean, weighing not less than 58 pounds to the bushel. 25

No. 1 red winter wheat shall be pure red winter wheat, sound, plump and clean, weighing not less than 62 pounds to the bushel. 30

No. 2 red winter wheat shall be red winter wheat, sound and reasonably clean, weighing not less than 60 pounds to the bushel.

No. 1 mixed winter wheat shall be white and red winter wheat mixed, sound, plump and clean, weighing not less than 61 pounds to the bushel. 35

No. 2 mixed winter wheat shall be white and red winter wheat mixed, sound, plump and clean, weighing not less than 59 pounds to the bushel.

No. 3 winter wheat shall include winter wheat not clean and plump enough to be graded No. 2, weighing not less than 57 pounds to the bushel.

Corn.

No. 1 white corn shall be white, sound, dry, clean and in
5 all other respects No. 1 corn. Corn.

No. 2 white corn shall be white, sound dry and reasonably clean.

No. 3 white corn shall be white, sound, dry and reasonably clean, but otherwise unfit to be graded No. 2.

10 No. 1 yellow corn shall be yellow, sound, dry, clean and in all other respects No. 1 corn.

No. 2 yellow corn shall be yellow, sound, dry and reasonably clean.

No. 3 yellow corn shall be yellow, sound, dry and reasonably
15 ably clean, but otherwise unfit to be graded No. 2.

No. 2 corn shall be mixed corn, sound, dry and reasonably clean.

No. 3 corn shall be mixed corn, dry and reasonably clean, but otherwise unfit to be graded No. 2.

20 All corn that is damp, dirty, in a heating condition or from any other cause unfit for the preceding grades shall be graded as rejected.

Oats.

No. 1 white oats shall be sound, clean and free from other
grain and shall weigh not less than 34 pounds to the bushel. Oats.

25 No. 2 white oats shall be sound, reasonably clean and reasonably free from other grain and shall weigh not less than 32 pounds to the bushel.

No. 3 white oats shall be sound, but not clean enough to be graded No. 2, and shall weigh not less than 30 pounds
30 to the bushel.

No. 4 white oats shall be sound, but otherwise not equal to No. 3, and shall weigh not less than 28 pounds to the bushel.

35 Black oats.—The grades of Nos. 1, 2, 3 and 4 black oats shall correspond in all respects with the grades of Nos. 1, 2, 3 and 4 white oats, except that the former shall be black.

Mixed oats.—The grades of Nos. 1, 2, 3 and 4 mixed oats shall correspond in all respects with the grades of Nos. 1, 2, 3 and 4 white oats, except that the former shall be black
40 and white mixed.

White clipped oats.—The grades of Nos. 1, 2, 3 and 4 white clipped oats shall correspond in all respects with the

grades of Nos. 1, 2, 3 and 4 white oats, except that the former shall weigh not less than 38, 36 and 34 pounds to the bushel, respectively.

Rye.

- Rye.** No. 1 rye shall be sound, clean and shall weigh not less than 58 pounds to the bushel. 5
- No. 2 rye shall be sound, reasonably clean, and reasonably free from other grain, and shall weigh not less than 56 to the bushel.
- No. 3 rye shall be sound, but not clean enough to be graded No. 2, and shall weigh not less than 55 pounds to 10 the bushel.
- Rejected rye shall include such as is unsound, musty, dirty or from any other cause unfit to be graded No. 3.

Barley.

- Barley.** No. 1 barley shall be plump, bright, sound, clean and free from other grain. 15
- No. 2 barley shall be reasonably clean and sound, but not bright and plump enough to be graded as No. 1, and shall be reasonably free from other grain, and weigh not less than 48 pounds to the bushel.
- No. 3 extra barley shall be in all respects the same as No. 2 barley, except in weight and colour, weighing not less than 47 pounds to the bushel.
- No. 3 barley shall include shrunken barley, weighing not less than 45 pounds to the bushel.
- No. 4 barley shall include all barley equal to No. 3 weigh- 25 ing not less than 44 pounds to the bushel.

Peas.

- Peas.** No. 1 peas shall be white, clean, sound, not worm-eaten, and free from bugs.
- No. 2 peas shall be reasonably clean and sound, and reasonably free from worm-eaten and buggy peas. 30
- No. 3 peas shall be such as are too dirty to be graded No. 2, or are worm-eaten or buggy.
- The grades of 1, 2 and 3 marrowfat peas shall correspond in all respects with the preceding grades Nos. 1, 2 and 3, except that the former shall be of the white-eyed and black- 35 eyed varieties.
- Mixed peas shall be sound and may contain a variety of peas not elsewhere classified.

Buckwheat.

No. 1 buckwheat shall be sound, clean, dry and free from other grain, weighing not less than 50 pounds to the bushel. Buckwheat.

No. 2 buckwheat shall be sound, clean and dry, weighing not less than 48 pounds to the bushel.

5 No. 3 buckwheat shall be sound, but not clean enough to be graded as No. 2, weighing not less than 45 pounds to the bushel.

All good buckwheat that is slightly damp, but fit for warehousing, or which is too dirty to be graded No. 3, shall be 10 classed as no grade, in the discretion of the inspector.

106. "No established grade" shall include all grain not classified in the foregoing. No establish-
ed grade.

GRADES IN WESTERN INSPECTION DIVISION.

107. The grades mentioned in this section apply only to grain grown in the Western Inspection Division, and in 15 respect of the several kinds of grain specified shall so apply to the exclusion of the grades defined in the last preceding section. Grades in
Western
Inspection
Division.

Spring Wheat.

No. 1 Manitoba hard wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and 20 shall be composed of at least seventy-five per cent of hard red Fife wheat. Spring wheat.

No. 1 hard white Fife wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of not less than sixty per cent of hard 25 white Fife wheat, and shall not contain more than twenty-five per cent of soft wheat.

No. 1 Manitoba northern wheat shall be sound and well cleaned, weighing not less than 60 pounds to the bushel, and shall be composed of at least 60 per cent of hard red Fife 30 wheat.

No. 2 Manitoba northern wheat shall be sound and reasonably clean, of good milling qualities and fit for warehousing, weighing not less than 58 pounds to the bushel, and shall be composed of at least forty-five per cent of hard red Fife 35 wheat.

Any wheat not good enough to be graded as No. 2 Manitoba northern, shall be graded No. 3 Manitoba northern in the discretion of the inspector.

No. 1 wheat rejected for smut and scoured shall be graded 40 as scoured of the grade to which it belongs

No. 2 wheat rejected for smut and scoured shall be graded as scoured of the grade to which it belongs.

No. 3 wheat and lower grades rejected for smut and scoured shall be graded as scoured of the grade to which it belongs: Provided that wheat which is inspected No. 3 5 northern scoured, or lower, may be graded in such regular grade, not higher than No. 3, as the inspector determines.

No. 1 wheat inspected as "No grade" for moisture and dried shall be graded as dried of the grade to which it belongs. 10

No. 2 wheat inspected as "No grade" for moisture and dried shall be graded as dried to the grade to which it belongs: Provided that, on the written order of the owner, any No. 1 dried or No. 2 dried wheat may be graded as No. 3 northern. 15

No. 3 wheat and lower grades inspected as "No grade" for moisture and dried shall be graded as dried of the grade to which it belongs: Provided that wheat which is inspected No. 3 northern dried, or lower, may be graded in such regular grade, not higher than No. 3 northern, as the 20 inspector determines.

Winter Wheat.

Winter
wheat.

No. 1 Alberta red winter wheat shall be hard pure red winter wheat, sound and clean, weighing not less than 62 pounds to the bushel.

No. 2 Alberta red winter wheat shall be hard red winter 25 wheat, sound and clean, weighing not less than 60 pounds to the bushel.

No. 3 Alberta red winter wheat shall include hard red winter wheat not clean enough or sound enough to be graded No. 2, weighing not less than 57 pounds to the bushel. 30

No. 1 Alberta white winter wheat shall be pure white winter wheat, sound and clean, weighing not less than 60 pounds to the bushel.

No. 2 Alberta white winter wheat shall be white winter wheat, sound and clean, weighing not less than 58 pounds to 35 the bushel.

No. 3 Alberta white winter wheat shall include white winter wheat not clean enough nor sound enough to be graded as No. 2, weighing not less than 56 pounds to the 40 bushel.

No. 1 Alberta mixed winter wheat shall be red and white winter wheat mixed; sound, plump and clean, weighing not less than 61 pounds to the bushel, and containing not less than 50 per cent red winter wheat.

No. 2 Alberta mixed winter wheat shall be red and white 45 winter wheat mixed, sound, plump, clean, weighing not less than 59 pounds to the bushel.

Oats.

Extra No. 1 Canadian western oats shall be white, sound, ^{Oats.} clean and free from other grain, and shall contain 95 per cent of white oats and shall weigh not less than 42 pounds to the bushel.

5 No. 1 Canadian western oats shall be white, sound, clean and free from other grain, shall contain 95 per cent of white oats, and shall weigh not less than 36 pounds to the bushel.

No. 2 Canadian western oats shall be sound, reasonably clean and reasonably free from other grain, shall contain 10 90 per cent of white oats, and shall weigh not less than 34 pounds to the bushel.

No. 3 Canadian western oats shall be sound, but not clean enough or sufficiently free from other grain to be graded as No. 2, and shall weigh not less than 34 pounds to the bushel.

15 No. 1 black or mixed oats shall be sound, clean, free from other grain, and weigh not less than 36 pounds to the bushel.

No. 2 black or mixed oats shall be sound, reasonably clean, reasonably free from other grain, and weigh not less than 34 pounds to the bushel.

20 Extra No. 1 Feed oats shall be sound, except as to frost, shall contain not more than two per cent of wheat nor more than two per cent of other grain, shall be reasonably clean, and shall weigh not less than 38 pounds to the bushel.

No. 1 Feed oats shall be oats excluded from the preceding 25 grades on account of damage other than heating, shall contain not more than five per cent of wheat, nor more than three per cent of other grain, shall be reasonably clean, and shall weigh not less than 34 pounds to the bushel.

No. 2 Feed oats shall include oats weighing less than 34 30 pounds to the bushel or otherwise unfit for No. 1 Feed.

Barley.

No. 1 Manitoba barley shall be plump, bright, sound, ^{Barley.} clean and free from other grain.

No. 2 Manitoba barley shall be reasonably clean and sound but not bright and plump enough to be graded as 35 No. 1, and shall be reasonably free from other grain, and weigh not less than 48 pounds to the bushel.

No. 3 extra Manitoba barley shall be in all respects the same as No. 2 barley, except in colour, weighing not less than 47 pounds to the bushel.

40 No. 3 Manitoba barley shall include shrunken or otherwise slightly damaged barley, weighing not less than 45 pounds to the bushel.

No. 4 Manitoba barley shall include all barley equal to No. 3, weighing less than 45 pounds to the bushel.

Rye.

- Rye. No. 1 Manitoba rye shall be sound, plump and well cleaned.
 No. 2 Manitoba rye shall be sound, reasonably clean and reasonably free from other grain.
 All rye which is from any cause unfit to be graded as No. 2 rye, shall be graded as rejected. 5

Flax Seed.

- Flax seed. No. 1 Northwestern Manitoba flax seed shall be mature, sound, dry and sweet, and contain not more than twelve and a half per cent of damaged seed, and weigh not less than 53 pounds to the bushel of commercially pure seed.
 No. 1 Manitoba flax seed shall be mature, sound, dry and sweet, and contain not more than twenty-five per cent of damaged seed, and weigh not less than 52 pounds to the bushel of commercially pure seed. 10
 All flax seed which is immature or musty or which contains more than twenty-five per cent damaged seed, and is fit for warehousing and testing not less than 49 pounds to the bushel of commercially pure seed, shall be graded as rejected. 15
 Flax seed that is damp, warm, mouldy, musty or otherwise unfit for warehousing, shall be classed as no grade. 20
 To test flax seed, one pound of average seed shall be taken from the sample tested, and the impurities or foreign matter therein shall be removed as near as possible by the use of two sieves of 32-gauge wire-cloth, one with meshes 3 x 16 and the other with meshes 16 x 16 to the square inch. The per centage of impurities and weight per bushel of the commercially pure seed shall be determined by the use of proper testing scales. 25

UNITED STATES GRAIN.

- Inspection of U. S. grain. **108.** Inspecting officers shall, when required, inspect grain of United States production passing thorough Canada in transit to the United Kingdom or to a foreign country, and shall grant certificates therefor based on standard sample of such grain established as hereinafter provided. 30

- U. S. corn. **109.** The provision made in the following sections for the establishment of standard samples for grain of United States production shall not apply to corn, but corn of United States production shall be inspected according to the definitions provided in section 105 of this Act. 35

- Standard samples. **110.** Standard samples for grain of United States production may be established yearly by the grain survey 40

board of any division or district, and shall be known as the standards for United States grain of that division or district.

2. The chief inspector shall be a member of this survey board. Chief inspector.

5 3. The Board may reject such standard samples if it deems them to have been unfairly or improperly chosen, and in such case it shall forthwith cause others to be chosen in their place by such means as it thinks proper. Rejection of samples.

4. Standard samples, as so established, shall be distributed 10 by the grain survey board to such persons as the Board directs. Distribution.

5. For all samples so furnished the chief inspector shall make such charge as is approved by the Board. Charges.

15 **111.** Every certificate issued for such grain shall state that it is of United States production and that the grade given thereon is that established by the grain survey board appointed by the Board for the division or district wherein the inspection takes place. United States production to be stated.

20 **112.** The fees for inspection of such grain shall be the same as provided by this Act in the case of Canadian grain. Fees.

113. Appeals from the grading of such grain by inspecting officers may be made to the grain survey board, as provided for in the case of Canadian grain. Appeals.

25 **114.** The provisions of the three next following sections shall apply to such grain. Application of ss. 115 to 117.

ALL GRAIN.

30 **115.** All good grain that is slightly damp or otherwise unfit for warehousing, shall be entered on the inspecting officer's books as "No grade," with his notations as to quality and condition, and all good grain that contains a large admixture of other kinds of grain shall be classed as "No grade." No grade.

35 2. All grain that is in a heating condition or is badly binburnt, whatsoever grade it might otherwise be, shall be reported and entered upon the inspecting officer's books as "Condemned" with the inspector's notation as to quality and condition. Condemned.

40 3. Any grain that is unsound, musty, dirty, smutty, sprouted, or from any other cause is unfit to be classed under any of the recognized grades, shall be classed as "Rejected." Rejected.

4. All grain shall be weighed and the weight per bushel recorded in the inspecting officer's book. Weight.

- Scoured grain. 5. No grain that has been subject to scouring or treatment by use of lime or sulphur shall be graded higher than No. 3.
- Weight. **116.** In the inspection of grain the weight shall not alone determine the grade.
- Inspector's reasons **117.** All inspecting officers shall make their reasons for grading grain, when necessary, fully known by notation on their book. 5

PART III.

APPLICATION OF PART.

- Application of Act. **118.** This part applies to the Western Inspection Division as described in paragraph (b) of section 21 of this Act; and in so far as respects dealing with western grain, to public elevators in the Eastern Inspection Division. 10

GENERAL.

- Duties of Board. **119.** The Board shall—
 (a) require all track-buyers and owners and operators of elevators, warehouses and mills, and all grain commission merchants to take out annual licenses. 15
 (b) fix the amount of bonds to be given by the different owners and operators of elevators, mills and flat warehouses, and by grain commission merchants and track-buyers;
 (c) require the person so licensed to keep books in form approved by the Board; 20
 (d) supervise the handling and storage of grain, in and out of elevators, warehouses and cars;
 (e) enforce rules and regulations made under this Act.
- Receipt and investigation of complaints. **120.** The Board shall also receive and investigate all complaints in writing, under oath,— 25
 (a) of undue dockage, improper weights or grading;
 (b) of refusal or neglect to furnish cars within a reasonable time;
 (c) of fraud or oppression by any person, firm or corporation, owning or operating any elevator, warehouse, mill or railroad, or by any grain commission merchant, or track-buyer. 30
- Remedy. 2. The Board shall also apply such remedy as is provided by statute, and shall institute prosecutions at the Government expense whenever it considers a case proper therefor. 35
- Papers to be kept on file. 3. The Board shall keep on file for public inspection in its office, publications showing the market price of grain in the markets of Liverpool, London, Glasgow, Winnipeg, Fort William, Toronto, Montreal, New York, Chicago, Minneapolis and Duluth. 40

121. In sections 122, and 125 to 150, both inclusive, unless the context otherwise requires, and in sections 229 and 236,— Interpretation.

- 5 (a) "terminal elevator" includes a public elevator in the Eastern Inspection Division;
 (b) "terminal warehouseman" includes a warehouseman of a public elevator in the Eastern Inspection Division.

TERMINAL, PUBLIC AND HOSPITAL ELEVATORS.

122. The proprietor, lessee, or manager of any terminal elevator shall be required, before transacting any business, to procure from the Board a license, permitting such proprietor, lessee or manager to transact business as a public warehouseman under the law. Licenses for terminal elevators.

2. The license shall be issued by the Board upon written application, which shall set forth the location and name of such elevator and the individual name of each person interested as owner or manager thereof, or if the owner or manager of such elevator is a corporation, the name of the corporation and the name of the president, secretary and treasurer of such corporation. Application therefor.

3. Such license shall give authority to carry on and conduct the business of a terminal elevator in accordance with the law and rules and regulations made by the Board. What license shall authorize.

4. Such license shall be revocable by the Board upon a summary proceeding before the Board upon complaint of any person, in writing, under oath, setting forth the particular violation of law, or rule or regulation, and upon satisfactory proof in that behalf to be taken in such manner as is directed by the Board: Provided that in case of such revocation there may be an appeal to the Governor in Council, but, pending the hearing thereof, the revocation shall continue in force. Revocable. Proviso.

5. The annual fee for such license shall be two dollars. Fee.

123. No person owing, managing, operating or otherwise interested in any terminal elevator shall buy or sell grain at any point in the Western Inspection Division. Buying and selling of grain by owners, etc., of terminal elevators.

2. Subsection 1 of this section shall not apply to any person who owns, manages, operates or is otherwise interested in any terminal elevator,—

- 40 (1) which has been leased to the Board for operation, or which has been leased to any person, firm or company for operation with the approval of the Board or which is managed and operated by persons approved by the Board; or—

- (2) which is used or operated in connection with any flour mill situate at the same terminal point as such elevator.
- Proviso. Provided, however, that such elevator shall be subject to such restrictions and regulations as are imposed by the Board, with the approval of the Governor in Council. 5
- Hospital elevators. **124.** There may be such number of hospital elevators as may be determined by the Board. Such elevators shall be situate only at terminal point, and shall be governed by such regulations and restrictions as are imposed by the Board. 10
- License. 2. Any such elevator shall be required to take out a license and furnish a bond in such amount as the Board determines.
- Grading of grain shipped therefrom. 3. Notwithstanding anything in this Act, but subject nevertheless to the provisions of subsection 5 of section 115, grain which is being shipped out from a hospital elevator shall, at the request of the owner or possessor thereof, or of his authorized agent, be inspected and graded and the grade so arrived at shall be the grade thereof. 15 20
- Security by licensee. **125.** The person receiving a license as herein provided shall file with the Board a bond to His Majesty, with good and sufficient sureties, to be approved by the Board, in the penal sum of not less than ten thousand nor more than fifty thousand dollars, in the discretion of the Board, for each terminal elevator licensed by him, conditioned for the faithful performance of his duties as a terminal warehouseman and his full and unreserved compliance with all laws in relation thereto: Provided that when any person procures a license for more than one elevator, no more than one bond need be given, the amount of which shall not exceed the above maximum. 25 30
- Proviso.
- No discrimination. **126.** No discrimination shall be made between persons desiring to avail themselves of warehouse facilities.
- What grain to be received in Western Inspection Division. 2. Every terminal elevator warehouseman in the Western Inspection Division shall receive for storage any grain tendered to him in a dry and suitable condition for warehousing in the usual manner in which terminal elevators are accustomed to receive grain in the ordinary and usual course of business. 35 40
- Inspection and grading thereof. 3. Grain so received shall in all cases be inspected and graded by a duly authorized inspector and shall be stored with grain of a similar grade.
- Official weighing. 4. No grain shall leave a terminal point without being officially weighed, unless the owner or his agent orders otherwise. 45

5. Every warehouseman of a public elevator in the Eastern Inspection Division shall receive for storage western grain tendered him through the ordinary channels of transportation, in the usual manner in which such elevators are accustomed to receive grain in the ordinary and usual course of business, and in such parcels or lots as are shipped.

What grain to be received by public elevators.

6. Every warehouseman of a public elevator in the Eastern Inspection Division shall keep a true and correct record of each parcel or lot of grain received by him, noting the name of the boat and number of the hold from which taken, or the number of the car, the billed weight, the actual weight as weighed in by him and shortage or overage, the number of the bin in which stored, and in case of a transfer in the elevator the number of the bin to which transferred, the date of shipment out of such elevator with the number of car or name of boat and number of hold; and in all cases where a certificate of grade accompanies a lot or parcel of grain the identity of such certificate with the lot or parcel of grain shall be preserved. He shall keep a correct record of the name of the shipper, the party to be advised of the shipment and the consignee.

Record to be kept.

7. The identity of each parcel or lot of western grain shipped to a public elevator in the Eastern Inspection Division shall be preserved, except that different parcels or lots of the same grades may be binned together when there is not sufficient space in the elevator to keep the parcels or lots separate.

Preservation of identity of grain.

8. In no case, whether in a terminal elevator in the Western Inspection Division or in a public elevator in the Eastern Inspection Division shall grain of different grades be mixed together while in store.

Grades not to be mixed.

9. Every terminal warehouseman in the Western Inspection Division, shall clean all grain received by him on which the inspector has set dockage for cleaning, except all rejected grades, which shall be cleaned only on the request of the owner.

Duty to clean grain.

10. Every terminal warehouseman in the Western Inspection Division shall pay or make allowance to the owner for all domestic grain of a commercial value in screenings on all cars graded by the inspector clean to clean for domestic grain, as set forth in section 100 of this Act, to the quantity assessed by the inspector.

Allowance for screenings.

11. Every terminal warehouseman in the Western Inspection Division shall insure against fire, with companies satisfactory to the Board, all grain received, handled or stored by him: Provided always that this subsection shall not apply to a warehouseman of a public elevator in the Eastern Inspection Division.

Insurance of grain.

Proviso.

Warehouse receipts.

127. Upon application of the owner or consignee of grain stored in a terminal elevator, and the surrender of the original shipping receipt, or bill of lading or both, as the case may be, properly endorsed, accompanied by evidence that all transportation charges, other than those due, if any, to the owner of such elevator, and all other charges which are a lien upon grain, including charges for inspection and weighing, have been paid, the warehouseman shall issue to the person entitled to receive it a warehouse receipt therefor, subject to his order, which receipt shall state,—

- (a) the date of the receipt of the grain in store and also the quantity and inspected grade of the grain; 10
- (b) that the grain mentioned in it has been received into store to be stored with grain of the same grade by inspection; 15
- (c) that the grain is deliverable upon the return of the receipt properly endorsed by the person to whose order it was issued, and upon payment of proper charges for storage and transportation, if any due to the owner of the elevator. 20

Numbering of receipts.

128. All warehouse receipts for grain issued by the same elevator shall be consecutively numbered, and no two receipts bearing the same number shall be issued from the same elevator during any one year, except in case of a lost or destroyed receipt, in which case the new receipt, if one is given, shall bear the same date and number as the original, and shall be plainly marked on its face "Duplicate." 25

What they shall state.

2. Warehouse receipts shall state,—

- (a) for grain received from railway cars, the number of each car and the quantity therein contained; 30
- (b) for grain received from barges or other vessels, the name of each craft; and,
- (c) for grain received from team or by other means, the manner of its receipt.

Receipt to state quantity.

3. No terminal warehouse receipt shall be issued for a greater quantity of grain than was contained in the parcel or lot stated to have been received, nor shall any such receipt be issued except upon actual delivery of the grain represented by such receipt into store in the elevator from which the receipt purports to be issued. 40

Number of receipts.

4. One receipt only shall be issued for the same lot of grain, except in cases where receipt for a part of a lot is desired, and then the total receipts for a particular lot shall cover that lot and no more.

Cancellation of receipts upon delivery of grain.

129. Upon the delivery of grain from store in any terminal elevator upon the receipt surrendered such receipt shall be plainly marked across its face with the word "Can- 45

celled," and with the name of the person cancelling it, and shall thereafter be void.

130. In cases where a part of the grain represented by the receipt is delivered out of store and the remainder is left, a new receipt may be issued for such remainder, but the new receipt shall bear the date of its issue and also the date on which the whole quantity was originally received into store and shall state on its face that it is balance of receipt of the original number, and the receipt upon which a part has been delivered shall be cancelled in the same manner as if the whole quantity of grain mentioned in such receipt had been delivered.

Issue of new receipt when delivery partial.

131. In case the warehouseman consents thereto and it is deemed desirable to divide one receipt into two or more, or to consolidate two or more receipts into one, the original receipt shall be cancelled as if the grain had been delivered from store and each new receipt shall express on its face that it is a part of another receipt or a consolidation of other receipts, as the case may be.

Consolidation of receipts.

2. No consolidation of receipts of dates differing more than ten days shall be permitted.

Within 10 days.

3. All new receipts issued for old ones cancelled, as herein provided, shall bear the date of their issue, and shall state the date or respective dates of the receipt or receipts originally issued, as nearly as may be, and the numbers thereof.

Dates.

132. No terminal warehouseman shall insert in any receipt issued by him any language in anywise limiting or modifying his liabilities or responsibility, except as in this Part mentioned, and except in so far as all parties concerned consent thereto.

No limiting of liability of warehouseman.

133. Upon the return of any terminal warehouse receipt by the holder thereof, properly endorsed, and the tender of all proper charges upon grain represented thereby, such grain shall be immediately deliverable to the holder of such receipt, and shall be delivered within twenty-four hours after demand has been made, and cars or vessels therefor have been furnished for that purpose, and shall not be subject to any further charges for storage: Provided that if it should happen that, in consequence of the cars or vessels not being furnished until after the expiration of twenty-four hours as aforesaid, a new storage term shall be entered upon, then the charge for storage shall nevertheless be made, but only on a *pro rata* basis in respect of the time which shall have elapsed after the expiration of the twenty-four hours as aforesaid, and the time when the cars or vessels actually arrive.

Delivery of grain on return of receipt.

Proviso.

Liability of warehousemen.

134. Every warehouseman liable for the delivery of grain, who makes default in delivery, shall be liable to the owner of the warehouse receipt for damages for such default in the sum of one cent per bushel, and in addition thereto one cent per bushel for each and every day of neglect or refusal to deliver as aforesaid: Provided that no warehouseman shall be held to be in default in delivery if the grain is delivered in the order demanded, and as rapidly as due diligence, care and prudence will justify. 5

Proviso.

Statement of business done by elevator.

135. The owner, lessee, manager, officer or employee of every terminal elevator shall furnish, at such times and in such form and manner as the Board prescribes, a statement, in writing and verified by the signature and statutory declaration of the owner, lessee, manager, officer or employee,— 10

(a) in the case of a terminal elevator in the Western Inspection Division, as to the condition and management of so much of the business of such owner, lessee, manager officer or employee as relates to such elevator; or, 15

(b) in the case of a public elevator in the Eastern Inspection Division, as to the amount, condition and management of the business done in western grain by the elevator. 20

Weekly statement of grain in store.

136. The warehouseman of every terminal elevator shall, as directed by the Board, render a weekly statement to the Board of the quantity of each kind and grade of grain in store in his warehouse and of the total amount of fire insurance thereon. 25

Statutory declaration.

2. Such statement shall be in the form of a statutory declaration, made by one of the principal owners or operators of such terminal elevator, or by the bookkeeper thereof, having personal knowledge of the facts. 30

Annual statement of rates for storage.

137. Every warehouseman of a terminal elevator shall be required, during the first week in September of each year, to file with the Board a table or schedule of rates for the storage, cleaning, handling and fire insurance of grain in such elevator during the ensuing year, which rates shall not be increased during the year. 35

No discrimination as to rates.

2. Such published rates, or any published reduction of them, shall apply to all grain received into such elevator from any person or source. 40

No discrimination by warehousemen.

138. No discrimination as to rates shall be made, either directly or indirectly by any warehouseman of a terminal elevator for storage, cleaning, handling or fire insurance of grain.

Maximum rates.

139. The charge for storage, cleaning, handling and fire insurance of grain including the cost of receiving and deliver- 45

ing, shall be subject to such regulations or reduction as the Board deems proper.

Grain out of Condition.

140. A terminal warehouseman shall, unless he gives public notice as hereinafter provided that some portion of the grain in his elevator is out of condition, or becoming so, deliver upon all receipts presented, grain of quality equal to that received by him.

Grain of equal quality to be delivered by warehouseman.

141. In case a terminal warehouseman in the Western Inspection Division considers that any portion of the grain in his elevator is out of condition, or becoming so, he shall immediately consult the resident official grain inspector, or, in the absence of the inspector, his authorized deputy. The inspector or his deputy shall examine the grain in question, and if he finds it to be out of condition, or becoming so, and if he is of opinion that by re-elevating the grain it can be brought back into condition or its further deterioration can be prevented, he may order the warehouseman to re-elevate it for such purpose. The re-elevation shall be at the expense of the owner of the grain.

Proceedings when grain deteriorates.

2. If it is found, after such examination, that the condition of the grain is such that its further deterioration cannot be prevented by re-elevation, or if after re-elevation it is still out of condition, the warehouseman shall immediately give notice of the facts to the Board and to the owner, if the owner's address is known.

To whom notice is to be given.

3. In case a warehouseman of a public elevator in the Eastern Inspection division considers that any portion of the Western grain in his elevator is out of condition, or becoming so, he shall immediately give notice of the facts both to the shipper of the grain and the party to be advised, and to any other interested party indicated upon the bill of lading or railway shipping receipt.

To whom notice is to be given.

Public elevator.

4. In both cases the notice shall be given by registered letter and a telegram of advice shall also be sent.

How notice to be given.

5. In both cases public notice of the facts shall be given in the following manner:—

Public notice.

(a) by posting the notice in the elevator; and,

In elevator.

(b) by posting the notice in the Grain Exchange at Winnipeg, and, as regards grain in a public elevator in the Eastern Inspection Division, also in the Grain Exchange at Toronto and the Grain Exchange at Montreal; and,

In grain exchange.

(c) by advertising the notice in each of the following places, in a daily newspaper printed and published at the place, namely, at—

Advertisement.

- (i) Winnipeg;
- (ii) the place where the elevator is situated, if there be such a newspaper there;
- (iii) and, as regards grain in a public elevator in the Eastern Inspection Division, also in Toronto and in 5 Montreal.
- Particulars of notice. 6. The notice by registered letter and the public notice shall state the following particulars:—
- Condition. (a) the actual condition of the grain as nearly as can be ascertained; 10
- Quality, etc. (b) the quantity, kind and grade of the grain;
- Elevator. (c) the elevator in which the grain is stored;
- Warehouse receipts. (d) the outstanding warehouse receipts, if any, upon which the grain will be delivered, stating the number and date of each receipt and, except as to grain previously declared or receipted for as being out of condition, the quantity, kind and grade of the grain covered by each receipt; or, 15
- When no warehouse receipts. (e) if warehouse receipts have not been issued, then—
- (i) the name of the person for whom the grain was stored; 20
- (ii) the date when the grain was received;
- (iii) the identification of the grain, which shall embrace as nearly as may be as great a quantity as is contained in the bin in which the grain is stored; 25
- (iv) as regards grain in a public elevator in the Eastern Inspection Division, the particulars of the bills of lading or railway shipping receipts.
- Contents of telegram. 7. The telegram of advice shall state at least the particulars mentioned in paragraphs (a) (b) and (c) of subsection 6 of this section, and that a letter has been mailed giving further particulars. 30
- Delivery of deteriorated grain. **142.** Upon request of the owner or other person entitled to delivery of the grain so found to be out of condition, and upon the return and cancellation of the warehouse receipts therefor, or the surrender of the original shipping receipts or bills of lading, duly endorsed, and upon payment of charges, the grain shall be delivered to the party entitled thereto. 35
- Proper care by warehouseman. **143.** Nothing herein contained shall be held to relieve a terminal warehouseman from exercising proper care and vigilance in preserving the grain after such publication of its condition, but such grain shall be kept separate, and apart from all direct contact with other grain, and shall not be mixed with other grain while in store in such elevator. 40 45

144. When the grain so declared out of condition has not been removed from store by the owner thereof within one month from the date of the notice of its being out of condition, if the warehouseman in whose elevator the grain is stored has given public notice as by this section required, such warehouseman may sell the grain at the expense and for the account of the owner.

Power to warehouseman to sell deteriorated grain.

2. If the proceeds of such sale are not sufficient to satisfy all charges accrued against the grain, the owner shall be liable to the warehouseman for any such deficiency.

Owner liable for deficiency of proceeds.

3. Public notice of the intended sale shall be given as follows:—

Notice of sale.

(a) in all cases, by advertisement in a newspaper printed and published at the place where the elevator is situated, if there be such newspaper;

(b) when the elevator is situated in the Western Inspection Division, by advertisement in a newspaper printed and published at Winnipeg, and by posting the notice in the Grain Exchange at Winnipeg; or

(c) when the elevator is a public elevator in the Eastern Inspection Division, by advertisement in newspapers printed and published at Winnipeg, Toronto and Montreal, respectively, and by posting the notice in the grain Exchange at Toronto and the Grain Exchange at Montreal.

145. The official grain inspector may, if he sees fit, in the interest of the owner and at his expense and risk, order the warehouseman to transfer the grain out of condition, or becoming so, to a hospital elevator at the same terminal point equipped with special machinery for the treatment of unsound grain.

Transfer of grain out of condition to another elevator.

146. Nothing in sections 140 to 145 of this Act, both inclusive, nor in sections 149 and 150 of this Act, shall be so construed as to permit any warehouseman to deliver any grain, stored in a special bin or by itself, to any one but the owner of the lot, or upon his written order.

Delivery of special binned grain.

147. All duly authorized inspectors of grain shall, at all times during ordinary business hours, be at full liberty to examine all grain stored in any terminal elevator.

Inspection of grain.

2. All proper facilities shall be extended to such inspectors by the warehousemen, his agents and servants, for an examination, and all parts of the terminal elevators shall be open to examination and inspection by any authorized inspector of grain.

Facilities.

Contract,
etc.,
contrary to
direction of
owner.

148. No proprietor, lessee, or manager of any terminal elevator, shall enter into any contract, agreement, understanding or combination with any railway company, or other corporation, or with any person, by which the grain of any person is to be delivered to any elevator or warehouse for storage or for any other purpose, contrary to the arrangements made between the shipper and the carrier. 5

Limitation
of liability
of ware-
houseman.

149. No terminal warehouseman shall be held responsible for any loss or damage to grain arising from irresistible force, the act of God or the King's enemies, while the grain is in his custody, provided reasonable care and vigilance is exercised to protect and preserve it. 10

Proper care
by ware-
houseman.

2. No terminal warehouseman shall be held liable for damage to grain by heating if it is shown that he has exercised proper care in the handling and storing thereof, and that the heating was the result of causes beyond his control. 15

Warehouse-
man respon-
sible for
neglect.

150. Any warehouseman guilty of an act of neglect, the effect of which is to depreciate property stored in the elevator under his control, shall be held responsible as at common law, or upon the bond of such warehouseman, and in addition thereto the license of such warehouseman may be revoked. 20

COUNTRY ELEVATORS.

General.

Country
elevators
and ware-
houses
defined.

151. "Country elevator" shall include all elevators and warehouses or flat warehouses which receive grain for storage, before such grain has been inspected under this Act, and which are situated on the right of way of a railway or on any siding or spur track connected therewith, depot grounds, or on any lands acquired or reserved by any railway company to be used in connection with its line of railway at any station or siding, and shall be under the supervision of the Board. 25

Application
for site.

152. Any person desirous of erecting a country elevator shall make application to the railway company for a site; and, in case of dispute, such dispute shall be referred to the Board. 30

Owners to
be licensed.

153. Unless the owner or lessee thereof shall have first procured a license therefor from the Board it shall be unlawful to receive, ship, store or handle any grain in any country elevator. 35

Application
for license.

2. A license shall be issued only upon written application under oath or statutory declaration, specifying,—

(a) the location of such elevator;

(b) the name of the person owning or operating such elevator;

(c) the names of all the members of the firm, or the names of all the officers of the corporation, owning and operating such elevator.

3. The license shall expire on the thirty-first day of August in each year, but while in force, shall confer upon the licensee full authority to operate such elevator in accordance with law and the rules and regulations made under this Act.

4. Every person receiving a license shall be held to have agreed to the provisions of this Part and to have agreed to comply therewith.

5. The annual fee for such license shall be two dollars.

154. If any country elevator is operated in violation or in disregard of this Act, its license shall, upon due proof thereof, after proper hearing and notice to the licensee, be revoked by the Board.

155. The person receiving a license as herein provided shall file with the Board a bond to His Majesty, with good and sufficient sureties, to be approved by the Board, in a penal sum, in the discretion of the Board, of not less than five thousand nor more than fifteen thousand dollars, in the case of an elevator, and of not less than five hundred nor more than five thousand dollars, in the case of a flat warehouse, conditioned for the faithful performance of his duties as a public warehouseman and his full and unreserved compliance with all laws in relation thereto: Provided that when any person procures a license for more than one elevator or flat warehouse, security may be given by one or more bonds, in such amount or amounts as the Board may require.

156. The Board, with the approval of the Governor in Council, may, before the first day of September in each year, make and promulgate all suitable and necessary rules and regulations for the government and control of country elevators, and the receipt, storage, insurance, handling and shipping of grain therein and therefrom, and the maximum rates of charges therefor in cases where handling includes cleaning grain, and also in cases where it does not include such cleaning.

2. Such rules and regulations shall be binding and have the force and effect of law.

3. A printed copy of such rules and regulations and a copy of the provisions of law as to the classification of the various grades of grain, shall at all times be posted up in a conspicuous place in each of such country elevators for the free inspection of the public.

Duties of
warehouse-
man.

157. The person operating any such country elevator shall—

- (a) receive the grades of grain established and described in Part II of this Act;
- (b) upon the request of any person delivering grain for storage or shipment, receive such grain without discrimination as to persons, during reasonable and proper business hours; 5
- (c) insure the grain so received against loss by fire while so stored; 10
- (d) keep a true and correct account in writing in proper books, of all grain received, stored and shipped at such country elevator, stating, except as hereinafter provided, the weight, grade, and dockage for dirt or other cause, of each lot of grain received in store, for sale, storage or shipment; and, 15
- (e) at the time of delivery of any grain at such country elevator, issue, in the form prescribed in the Schedule to this Act, to the person delivering the grain either a cash purchase ticket, warehouse storage receipt, or storage receipt for special binned grain, dated the day the grain was received, for each individual load, lot or parcel of grain delivered at such country elevator. 20

Duty as to
cleaning of
grain.

158. The owner, lessee or manager of every country elevator equipped with grain cleaners shall, if requested so to do, clean the grain before it is weighed. 25

Attendance
of interested
parties at
the
weighing.

2. Persons interested in the weighing of grain at any country elevator, shall have free access to the scales while such grain is being weighed and shall, if the facilities exist, and if they so desire, have ample opportunity after the cleaning is done, of personally ascertaining the net weight of the grain cleaned. 30

Certificate
of weight.

3. The net weight of the grain cleaned shall be specified on the face of the certificate given the seller by the purchaser. 35

Warehouse
receipt.

159. The person operating any country elevator shall, upon request of any person delivering grain for storage or shipment, deliver to such person thereof a warehouse receipt or receipt, dated the day the grain was received and specifying,— 40

- (a) the gross and net weight of such grain;
- (b) the dockage for dirt or other cause;
- (c) the grade of such grain when graded conformably to the grade fixed by law and in force at terminal points; and 45
- (d) that the grain mentioned in such receipt has been received into store.

2. Such receipt shall also state upon its face that the grain mentioned therein has been received into store, and that upon the return of such receipt, and upon payment or tender of payment of all lawful charges for receiving, storing, insuring, delivering or otherwise handling such grain, which may accrue up to the time of the return of the receipt, the grain is deliverable to the person on whose account it has been taken into store, or to his order, from the country elevator where it was received for storage, or, if either party so desires, in quantities not less than carload lots, on track at any terminal elevator in the Western Inspection Division, on the line of railway upon which the receiving country elevator is situate, or any line connecting therewith, so soon as the transportation company delivers the same at such terminal, and the certificate of grade and weight is returned.

3. In the case of a country elevator on the line of railway formerly known as the Northern Pacific and Manitoba Railway, or on any line of railway operated therewith, if either party desires such grain to be shipped to a terminal point, it may be delivered on track at the proper terminal elevator, at or adjacent to Duluth.

4. Nothing herein shall prevent the owner of such grain from, at any time before it is shipped to terminals, requiring it to be shipped to any other terminal than as hereinbefore provided.

160. Upon the return or presentation of such receipt properly endorsed by the lawful holder thereof, at the country elevator where the grain represented therein is made deliverable, and upon the payment or tender of payment of all lawful charges, as herein provided, and upon request for shipment made by the holder of such receipt the grain shall be delivered to such holder into cars as soon as furnished by the railway company.

2. The person operating the country elevator shall in such case promptly call upon the railway company for cars to be supplied in the order of the dates upon which such receipts are surrendered for shipment.

3. The grain represented by such receipt shall be shipped within twenty-four hours after such demand has been made, and cars and other means of receiving it from the country elevator have been furnished, and shall not be subject to any further charges for storage after request for delivery has been made and cars are provided by the railway company.

4. In every case where grain has been delivered at any country elevator, and a cash purchase ticket issued therefor to the person from whom such grain was received by the warehouseman, and should his paying agent within twenty-four hours after demand by the holder, provided such

Contents of receipt.

Delivery at Duluth.

Saving.

Delivery of grain on return of receipt.

Cars to be promptly called for.

Grain to be shipped within 24 hours after demand.

Provision for failure to redeem cash purchase ticket.

demand be made during twenty-four hours after the issue of the purchase ticket, neglect or refuse to redeem such cash purchase ticket, the said holder may at once, upon surrender of such cash ticket, demand in exchange therefor a warehouse storage receipt bearing same date and place of issue, 5 and for similar grade and net weight of grain as was shown on the cash purchase ticket aforesaid. Upon return of the said cash purchase ticket to the warehouseman, he shall at once issue in exchange therefor to the holder a warehouse storage receipt of same grade and quantity of grain as shown 10 on the face of said surrendered cash purchase ticket.

Forwarding
of grain to
terminal
elevator.

161. On the return of the storage receipts, if the shipment or delivery of the grain at a terminal point is requested by the owner thereof, the person receiving the grain shall deliver to the owner a certificate in evidence of his right to 15 such shipment or delivery, stating upon its face,—

- (a) the date and place of its issue;
- (b) the name of the consignor and consignee;
- (c) the place of destination;
- (d) the kind of grain and the grade and net quantity, 20 exclusive of dockage, to which the owner is entitled by his original warehouse receipts, and by official inspection and weighing at the designated terminal point.

Return of
certificate.

2. Such certificate shall be returned in exchange for the 25 railway shipping receipt and certificates of weight and grade.

Charges.

3. The grain represented by such certificate shall be subject only to such storage, transportation or other lawful charges as would accrue upon such grain from the date of 30 the issue of the certificate to the date of actual delivery, within the meaning of this Part, at such terminal point.

Ordering
cars to
elevator.

162. Any person having grain stored or binned in not less than car lots in any country elevator whether in general or special bin, may order a car or cars to be placed at such 35 elevator for the shipment of such stored grain, and may have the said car or cars loaded at such elevator after he has surrendered to the operator thereof the storage receipt or receipts therefor, properly endorsed, and has paid, or tendered payment of all lawful charges as hereinbefore 40 provided; and the grain shall not be subject to any further charges for storage after demand for such delivery is made and cars are furnished by the railway company.

Grain in
special bin.

In the case only of grain in special bin, should the storage receipts and lawful charges against the grain not be delivered 45 or paid at the time of the billing of the car, the elevator operator may hold the bill of lading until the owner has

surrendered the storage receipts therefor and paid all lawful storage charges due thereon: Provided that it shall be an offence under this Part for the elevator operator to sell or dispose of such bill of lading without the consent of the owner of the grain, and the bill of lading shall be made out in all cases in the name of the owner of the grain shipped.

2. The grain represented by such receipt shall be shipped within twenty-four hours after such demand has been made and cars have been furnished.

3. This section shall not be deemed to limit or curtail the right of any applicant, whether he has or has not grain stored or binned as above stated.

163. If not delivered upon such demand within twenty-four hours after such car, vessel or other means for receiving the grain has been furnished, the country elevator in default shall be liable to the owner of such receipt for damages for such default in the sum of one per cent per bushel, and in addition thereto one cent per bushel for each day of such neglect or refusal to deliver: Provided that no warehouseman shall be held to be in default in delivering if the grain is delivered in the order demanded by holders of different receipts or terminal orders, and as rapidly as due diligence, care and prudence will justify.

164. The operator of any country elevator may at any time forward any grain stored in his elevator to any terminal elevator in the Western Inspection Division on the same line of railway, or on railways connecting therewith, and on so doing shall be liable for the delivery thereof to its owner at such terminal elevator in the same manner and to the same extent in all respects as if such grain had been so forwarded at the request of the owner thereof: Provided that in case of a country elevator on the line of railway formerly, known as the Northern Pacific and Manitoba Railway, or on any line of railway operated therewith, such grain may be delivered on track at the proper terminal elevator at or adjacent to Duluth.

2. Such country elevator operator on so forwarding the grain shall, without delay, notify in writing, the owner of the grain of such forwarding.

165. The grain when so delivered at terminals shall be subject to freight, weighing and inspection charges and all other charges, if any, lawful at such terminal point.

2. The party delivering shall be liable for the delivery of such grain as will, on weighing at the terminal point, conform to the grade according to the certificate of inspection

provided by this Act and as nearly as possible to the weight mentioned in the receipt therefor.

Warehouse receipts and certificates.

166. All warehouse receipts issued for grain received and all certificates shall be consecutively numbered, and no two receipts of the same kind or certificates bearing the same number shall be issued during the same year from the same country elevator, except when one is lost or destroyed, in which case the new receipt or certificate, if one is given, shall bear the same date and number as the original and shall be plainly marked on its face "Duplicate." 5 10

No warehouse receipt except for grain actually delivered.

2. Warehouse receipts or certificates shall not be issued except upon grain which has actually been delivered into a country elevator, nor shall such receipts or certificates be issued for a greater quantity of grain than was contained in the lot or parcel stated to have been received. 15

No modifying of liability of warehouseman.

3. Except as in this Part mentioned, and in so far as all parties concerned consent thereto, no receipt or certificate shall contain language in any wise limiting or modifying the legal liability of the person issuing the same.

Grain to be accounted for.

4. Except in the case of accidental damage to, or the accidental destruction of, any country elevator in which grain has been accepted for general storage as herein provided, if the person operating it, when called upon to do so by the owner of the grain, fails to account for the grain in accordance with the terms of the warehouse receipt given under the provisions of this Part or of the further orders of the owners, he shall be deemed guilty of an offence under section 355 of *The Criminal Code*, and shall be liable to the penalties therein provided and, in addition, to the forfeiture of his license. 20 25 30

Penalty.

Storage in special bins.

167. Whenever the person operating a country elevator agrees with the owner of any grain to store it in such a manner as to preserve its identity, it shall be stored in a special bin or bins, and shall be called special binned grain, and in such case only the weights, insurance and preservation of the identity of the grain shall be guaranteed by the said operator, and he shall mark on the storage receipts given therefore the words "Special bin," and the number or numbers by which such special bin or bins are known in such elevator. 35

Storage special bins.

2. In every case where grain is stored in any country elevator in a special bin the warehouseman shall draw a fair and proper sample, in the presence of a person delivering the grain, out of each hopper load as delivered, and such sample shall be properly preserved in a suitable receptacle, which shall be numbered and sealed, until after such special binned grain has been shipped and inspected, and the owner thereof has notified the warehouseman that he is satisfied the identity of the grain has been preserved. 40 45

Samples to be preserved.

3. The receptacle shall be provided by the warehouseman and the sample shall be placed therein in the presence of the owner. The receptacle shall be secured by a padlock which the owner of the grain shall provide, and the key of which he shall retain. The warehouseman shall be the custodian of the receptacle and sample.

Provision
and custody
of receptacle
for sample.

4. In case after the shipment has been inspected the owner is of the opinion that the identity of the grain has not been preserved, he shall notify the warehouseman in writing of the fact and both parties thereupon shall forward the sample sealed, charge prepaid, to the chief inspector to be compared with the shipment. The decision given by the chief inspector in such cases shall be final and binding on both parties.

Use of
sample to
ascertain
identity
of grain.

15 **168.** In the case of the allotting of a special bin or bins by the owner or operator of any country elevator to any buyer of grain, the said buyer may by agreement with such owner or operator, dispense with insurance by the owner or operator of the buyer's grain while in such bins.

Insurance in
such case.

20 **169.** Nothing in this Part shall be construed as permitting the owner or operator of any country elevator to allot special bins to any buyer beyond the time allowed by the provisions of this Part, or for purposes other than as stated in the provisions of this Part as to flat warehouses, or shall require the owner of a flat warehouse to insure grain while in his warehouse.

Special bin
only for
time and
purpose
allowed.

30 **170.** In case any country elevator warehouseman discovers that any portion of the specially binned grain in his elevator is out of condition or becoming so, and it is not in his power to preserve it, he shall immediately give written notice thereof by registered letter to the Board and to the person on whose account the grain was received, if the address of such person is known.

If grain is
out of
condition.

2. Such notice shall when possible state,
35 (a) the kind and grade of the grain and the bin in which it is stored;
(b) the receipts outstanding upon which the grain is to be delivered, giving the numbers, amounts and dates of each;

Notice to the
Board and
owner.

40 (c) the name of the party for whom the grains was stored;
(d) the amount of grain stored and the date of its receipt.

3. He shall also at once post up a copy of such notice in some conspicuous place in such elevator.

Notice to be
posted up.

4. Such grain shall be delivered upon the return and cancellation of the receipts.

Delivery.

Sale of such grain at public auction.	5. In case the grain out of condition is not removed from store by the owner thereof within ten days from the date of the notice of its being out of condition, the warehouseman where the grain is stored may sell such grain at public auction for the account of the owner after,—	5
Notice.	(a) giving ten days' notice by advertisement in a newspaper published in the place where such elevator is located, or, if no newspaper is published there, then in the newspaper published nearest to such place; (b) posting up such notice in a conspicuous place in his elevator for the ten days immediately preceding the sale; and, (c) ten days from the mailing of notice of the time and place of the sale to the owner by registered letter.	10
Warehouseman liable for neglect.	6. Any warehouseman guilty of an act of neglect, the effect of which is to depreciate property stored in such elevator under his control, shall be held responsible personally as well as upon his bond, and in addition thereto, the license of such elevator may be revoked.	15
Proper care and vigilance of warehouseman.	7. Nothing herein contained shall be held to relieve the warehouseman from exercising proper care and vigilance in preserving the grain before or after such publication of its condition; but the grain shall be kept separate and apart from all direct contact with other grain and shall not be mixed with other grain while in store in such elevator.	20 25
Sale or pledge of grain by operator.	171. An operator of a country elevator who sells, assigns, mortgages, pledges, hypothecates, or in any manner charges any grain stored in the said elevator in special bin in accordance with the provisions of this Part which is not the sole and absolute property of the said operator, shall be deemed guilty of an offence under section 390 of <i>The Criminal Code</i> , and shall be liable to the penalties therein provided and, in addition, to the forfeiture of his license.	30
R. S. c. 146. Penalty.		

Disagreement as to Grade or Dockage.

Sample of grain may be transmitted to chief inspector.	172. In case there is a disagreement between the purchaser or the person in the immediate charge of receiving the grain at such country elevator and the person delivering the grain to such elevator for sale, storage or shipment at the time of such delivery, as to the proper grade or dockage for dirt or otherwise, except as to condition, on any lot of grain delivered, a fair and proper sample shall be drawn in the presence of the person delivering the grain out of each hopper load as delivered and at least three quarts from samples so taken shall be forwarded in a suitable sack properly tied and sealed, express charges prepaid, to the chief inspector of grain, and shall be accompanied by the request in writing of	35 40 45
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either or both of the parties aforesaid, that the chief inspector will examine the sample and report on the grade and dockage the said grain is in his opinion, entitled to and would receive if shipped to the terminal points and subjected to official inspection.

173. The chief inspector shall, as soon as practicable, examine and inspect such sample or samples of grain and adjudge the proper grade and dockage to which it is, in his judgment, entitled, and which grain of like quality and character would receive if shipped to the terminal points in carload lots and subjected to official inspection.

174. As soon as the chief inspector has so examined, inspected and adjudged the grade and dockage he shall make out in writing a statement of his judgment and finding and shall transmit a copy thereof by mail to each of the parties to the disagreement, preserving the original together with the sample on file in his office.

2. The judgment and finding of the chief inspector on all or any of the said matters shall be conclusive.

3. Where the disagreement as to grade and dockage arises on the sale of the wheat by a farmer to such country elevator the farmer shall be paid on the basis of grade and dockage offered him by the elevator, but the final settlement shall be made on the basis of grade and dockage given by the chief inspector.

Investigation into Complaints.

175. Whenever complaint is made, in writing under oath to the Board by any person aggrieved, that the person operating any country elevator under this Act,—

- (a) fails to give just and fair weights or grades; or,
 (b) is guilty of making unreasonable dockage for dirt or other cause; or,
 (c) fails in any manner to operate such elevator fairly, justly and properly; or,
 (d) is guilty of any discrimination forbidden by this Part, it shall be the duty of the Board to inquire into and investigate such complaint and the charge therein contained.

2. The Board shall, for such purpose, have full authority to examine and inspect all the books, records and papers pertaining to the business of such elevator and all the scales, machinery and fixtures and appliances used therein, and to take evidence of witnesses under oath, and for that purpose to administer the oath.

Notice to owner.	3. Upon receipt of such complaint the Board shall notify the owner of the country elevator and furnish him with a copy of the complaint, and the date and place of holding the investigation.	
Decision of Board.	176. In case the Board finds the complaint and charge therein contained, or any part thereof, true, it shall give its decision in writing and shall at once serve a copy of such decision upon the person offending and against whom such complaint was made, and also serve a copy upon the owner of such country elevator; and the Board shall direct such owner to make proper redress to the person injured, and may order the discharge of the offending operator, who shall not be engaged as manager or assistant in any country elevator for the period of one year from such discharge. Upon the failure of such owner to give such proper redress and discharge such operator the Board shall cancel the license of the country elevator. In case any other country elevator employs an operator so discharged within the said period of one year the Board shall order the dismissal of such operator, and in case of refusal to comply with the request of the Board in this regard the Board shall cancel the license of the said country elevator.	5 10 15 20
Punishment of offender.		
Influencing manager to give unjust weight or take unjust dockage.	2. Every one who being a grain dealer or a member of a firm dealing in grain or an authorized agent of any such dealer or firm, influences, or attempts to influence, in any manner either by letter, circular or otherwise, any manager of any country elevator to give unjust weights or to take unjust dockage from any grain being received into such elevator, is guilty of an offence and liable, on summary conviction, to a penalty not exceeding five hundred dollars and not less than one hundred dollars.	25 .0
Penalty.		
Statement as to grain handled.	177. When ordered by the Board, any person operating a country elevator under this Part shall immediately after the end of each month in which the elevator shall have been operated, furnish in writing to the Board, a return or statement showing,—	35
Particulars.	(a) the amount of grain on hand in the elevator at the commencement of such month, and the total amount of warehouse receipts at that time outstanding in respect of the said grain; (b) the total amount of warehouse receipts issued during such month, the total amount of warehouse receipts surrendered by the holders thereof during such month, and the total amount of warehouse receipts outstanding at the close of such month; (c) the amount of grain received and stored in such elevator during such month;	40 45

- (d) the amount of grain delivered or shipped from such elevator during such month;
- (e) the amount of grain on hand in such elevator at the expiration of such month.
- 5 2. The foregoing particulars shall, in each case, specify the kind of grain and grade, and the amounts of each such kind and grade. Kind and grade.
- 10 3. Such statement shall be accompanied by a declaration of the person operating such elevator, verifying the correctness of the statement according to the best of his judgment and belief and alleging that the statement is correct according to the books kept by him and that such books have been correctly kept to the best of his judgment and belief and what books have been kept by him during such month. Declaration to accompany statement.
- 15 4. Such statement and declaration in regard to any particular elevator shall be open for inspection, in the office of the Board during business hours, by any person who is the owner of grain stored in such elevator, upon payment of a fee of fifty cents. May be inspected
- 20 5. Any person without reasonable justification making a false statement or declaration as aforesaid, shall, on conviction upon indictment, be liable to a penalty of not less than fifty dollars, nor more than one thousand dollars, and, in default of payment, to imprisonment for not less than one month, nor more than one year. In every case, the onus of establishing reasonable justification shall be upon the person making such false statement or declaration. Penalty for false statement
- 25 6. In the case of a firm or corporation operating a country elevator, the statement and declaration may be made by any person purporting to have knowledge of the facts and the declaration shall include an allegation that he has knowledge of the facts and shall state the source of his knowledge. Maker of statement to have knowledge of facts.
- 30 7. Any person required by this section to furnish such statement or declaration and failing to do so within three days after receipt of written notice to him from the Board, shall be liable to forfeiture of license. Failure to make declaration.
- 35 **178.** The Board may inspect any country elevator and the business thereof, and the mode of conducting it. Inspection by Board.
- 40 2. The property, books, records, accounts, papers and proceedings, so far as they relate to the condition, operation or management of any such elevator, or the business thereof, shall, at all times during business hours, be subject to the examination and inspection of the Board. Books, accounts, etc., to be open.
- 45 **179.** The forms of cash purchase tickets, warehouse storage receipts, storage receipts for special binned grain, and flat warehouse receipts in the Schedule to this Part, and no others, shall be used by the owners of country elevators. Forms of warehouse receipts, etc.

- "Cleaning." 2. In the case of country elevators not equipped with cleaning machinery, the word "cleaning" may be omitted from the said forms of storage receipt and storage receipt for special binned grain.
- Alteration of forms. 3. The, Board, with the approval of the Governor in 5 Council may at any time make changes in the said forms, or substitute other forms therefor, and may also, in order to meet the case of country elevators on lines of railway, the terminals of which are outside of the Western Inspection Division, vary the said forms for use in the said elevators so 10 as to allow of shipment to such terminals.

Flat Warehouses.

- Erection of flat warehouse. **180.** The Board may, on a written application by any person residing within forty miles of the nearest railway shipping point, give permission to such person to erect at such shipping point, under the provisions of this Part, a 15 flat warehouse, covered with metal, with power to enlarge the same if necessary.
- Railway to give location. 2. In such case the railway company shall be compelled to give a location with siding on its premises in some place of convenient access, to be approved by the Board, at a rental 20 not greater than that charged to standard elevators, upon which location the flat warehouse shall be erected.
- Security. 3. The owner and operator of such warehouse shall give bonds and shall be licensed in the same manner as elevator owners. 25
- Construction of additional warehouses. **181.** If, in the judgment of the Board, more than one of these warehouses is required at a station, one or more additional warehouses may be authorized by them, and the provisions of this Part in that behalf shall apply to the construction of such additional warehouses. 30
- Capacity of warehouse. **182.** Every such warehouse shall contain not less than three bins of one thousand bushels capacity each, and each bin shall be numbered by a separate number.
- Allotment of bins. **183.** The owner of every such warehouse shall, on the application of any farmer undertaking to ship a carload of 35 grain, allot such farmer a bin in such warehouse as soon as one is available.
- Form of application. 2. Applications for bins shall be made in a form to be approved by the Board, and blank forms for such applications shall be furnished to applicants by the warehouse 40 operator.

3. The allotment of bins to applicants shall be made in the order of applications therefor, and without discrimination of any kind. Allotment in order.

4. No farmer shall be allowed to hold more than one bin at any one time to the exclusion of other applicants. One bin for each farmer.

184. The owner or operator of any such warehouse shall at once on every allotment of a bin apply in writing, on a form approved by the Board, but furnished by such warehouse operator, to the proper railway official to furnish a car to the person to whom the bin is allotted, stating in the application the time when the car will be required, which shall be not later than five days from the allotment of the bin. Application for cars.

185. The shipper shall be allowed for filling such bin and loading on car six clear days exclusive of Sundays, and as much time longer as is necessary to obtain a car and load it from such bin: Provided that the time for loading such car shall not exceed twenty-four hours. Time allowed for loading.

2. If a carload of grain is not loaded into such bin and loaded on a car within the time hereinbefore provided, the warehouse operator may at his option either load on car the grain then in the bin and ship it for the owner to a terminal elevator subject to freight inspection and weighing charges at such terminal, and all charges for use of such flat warehouse, including an additional charge of one-half a cent per bushel for loading, or he may sell the grain on account of the owner thereof, and shall then be liable to account to the owner for the proceeds, after deducting all proper charges. If carload of grain not delivered in time, shipment of grain to terminal elevator.
Or sale.

186. The charges for the use of a bin, and the services of the warehouse operator in weighing the grain as it is loaded into and out of the warehouse by the person to whom the bin is allotted, shall be subject to such regulations or reduction as the Board deems proper. Charges.

187. No owner or operator of any such warehouse shall be allowed to store in or ship through such warehouse grain purchased by or for himself. Grain of owner of elevator.

188. Any person, who under the provisions of this Part has secured from the railway company a site at any shipping point on which to erect a country elevator, shall, after such site has been staked out by the railway company, commence the erection of such elevator within sixty days, and complete it with all reasonable expedition, otherwise Erection to be commenced within sixty days.

the application therefor may be cancelled by the railway company.

LOADING PLATFORMS.

- 189.** On a written application to the board by ten farmers resident within twenty miles of the nearest shipping point, and on the approval of the application, the railway company shall, within the time hereinafter mentioned, erect and maintain at such point a loading platform as hereinafter described, suitable for the purpose of loading grain from vehicles direct into cars. 5
- 2.** The period in each year within which the Board may receive such applications shall be between the fifteenth of April and the fifteenth of October, and the company shall not be compelled to build any such loading platforms between the first day of November and the first day of May following. 10 15
- 190.** The railway company shall construct such loading platform within thirty days after the application is made to the company by the Board, unless prevented by strikes or other unforeseen causes, and shall be liable to a fine of not less than twenty-five dollars for each day's delay beyond that time. 20
- 191.** Each loading platform shall be erected within the limit of the station yard, or upon a siding where there is no station, at a siding which the railway company shall provide on its premises in some place convenient of access, to be approved by the Board, and shall be at least eighteen feet wide and fifty-four feet long, and of such height as the Board prescribes; but no loading platform shall be required to be erected at crossing sidings reserved for crossing purposes only. 25 30
- 192.** All such persons desiring to use such loading platform for the shipment of grain shall be entitled to do so free of charge.
- 193.** The Board may at any time between the fifteenth day of April and the fifteenth day of October in any year order the railway company to enlarge any platform at any station or siding under the provisions of this Part, or order the company to erect additional platforms at such station or siding, if, in the judgment of the Board, the loading platform or platforms at such station or siding is or are insufficient to accommodate the public, and the railway 35 40

company shall enlarge such platforms or erect such additional platforms at such station or siding, as directed by the Board, within thirty days after the receipt of an order of the Board therefor.

- 5 **194.** The railway company shall, upon application, furnish cars to applicants for the purpose of being loaded at such loading platforms. Furnishing of cars by company.
2. When more cars are furnished at any point than can be accommodated at the platform, the surplus cars shall be placed by the railway company at such applicants' disposal at a convenient place or places, on a siding other than at the platform: Provided that shippers, if they so desire, shall at all times have the option of loading on the siding instead of over the platform. Surplus cars. Proviso.
- 10 **15** 3. At any point where there is no platform, cars shall be furnished to applicants by the railway company at convenient places on a siding, for the purpose of being loaded direct from vehicles. At points where no platforms.

CARS AND CAR ORDER BOOK.

- 195.** At each station where there is a railway agent, and where the grain is shipped under such agent, an order book for cars shall be kept for each shipping point under such agent open to the public, in which applicants for cars shall make order. Order book.
- 20 **25** 2. The car-order-book shall be in the form shown in form E in the Schedule to this part. Car-order-book form.
3. In the case of a flag station or siding from which grain is shipped, the Board may, in its direction and for such period or periods as it deems necessary, require the railway company to provide at such flag station or shipping siding a suitable person whose duties shall be,— Duties of person at flag station or siding.
- 30 (a) to keep open for the use of shippers at all times during the day a car-order-book, as provided under this Part, in which orders for cars may be entered in accordance with the provisions of this Part;
- 35 (b) when the loading of cars is completed, to seal such car or cars;
- (c) to provide shippers with the regular form of grain shipping bill; and,
- 40 (d) when such grain shipping bill is properly filled out by the shipper, to hand it to the conductor of the train that picks up such car or cars or place it where such conductor may get it.
4. This section shall not apply to siding used exclusively for the passing of trains. Certain sidings.

Penalty on railway company for non-compliance.

5. Every railway company which fails to comply with any requirement made by the Board under subsection 3 of this section, is guilty of an offence and liable, on summary conviction, to a penalty not exceeding one thousand dollars and not less than five hundred dollars. 5

Car-order-books to be supplied.

6. Every railway company shall supply car-order-books at all stations, flag-stations and sidings where they are to be kept under this Part.

Application for cars.

196. An applicant may order a car or cars according to his requirements, of any of the standard sizes in use by the railway company, and in case he requires to order any special standard size of car shall have such size stated by the station agent in the car-order-book, and the railway company shall furnish the size ordered to such applicant in his turn as soon as a car of such specified capacity can be furnished by the railway company at the point on the siding designated by the applicant in the car order-book. In the event of the railway company furnishing a car or cars at any station and such car or cars not being of the size required by the applicant first entitled thereto, such applicant shall not lose his priority but shall be entitled to the first car of the size designated which can be delivered at such station at such applicant's disposal as aforesaid. 10 15 20

Orders for cars.

197. The applicant or his agent duly appointed in writing shall furnish to the railway agent the name of the applicant and the section, township and range in which the applicant resides, or other sufficient designation of his residence, for insertion in the car-order-book; and each car order shall be consecutively numbered in the car-order-book by the railway agent, who shall fill in with ink all particulars of the application except the applicant's signature, which shall be signed by the applicant or his agent duly appointed in writing. 25 30

Agent of applicant.

2. An agent of the applicant shall be a resident in the vicinity of the shipping point, and if the car order is signed by the agent of the applicant the appointment shall be deposited with the railway agent. 35

How cars shall be awarded.

198. Cars so ordered shall be awarded to applicants according to the order in time in which such orders appear in the order book, without discrimination between country elevator, loading platform or otherwise: Provided always that a car shall not be deemed to have been awarded to an applicant unless it is in a proper condition to receive grain. 40

Proviso.

Applicant to declare his intention

199. Each such applicant or agent, on being informed by the railway agent of the allotment to him of a car, in 45

good order and condition, shall at once declare his intention and ability to load the said car within the next ensuing twenty-four hours. and ability to load.

2. In the event of such applicant or agent being unable to so declare his intention and ability to load the car allotted to the applicant, the railway agent shall thereupon cancel the order by writing in ink across the face thereof, the word "Cancelled" and his signature, and shall fill in thereon the date of cancellation, and shall award the car to the next applicant entitled to it. If he is unable to do so. Cancellation of car order.

3. If the applicant, after declaring his intention and ability as aforesaid, shall not have commenced loading the car within the period of twenty-four hours from the time of the notice to himself or his agent, as herein directed, the railway agent shall thereupon cancel the order in the manner as aforesaid. Failure to load within 24 hours. Cancellation.

4. No cancellation of a car order shall be lawful unless made in the manner in this section provided. Procedure imperative.

200. At the time a car is ordered the railway agent shall duly enter in ink in the order book,— Entries in order book when car ordered.

- (a) the date and time when the application is made;
- (b) where the car is to be placed; and,
- (c) the number of the application in consecutive order.

2. When the car has been furnished, he shall enter in ink in the order book,— When car furnished.

- (a) the date and time when the car was furnished;
- (b) the car number; and,
- (c) when loaded, the date of such loading and the destination of the car.

201. The railway agent shall post up daily in a conspicuous place a written notice signed by him, giving the date of application and name of each applicant to whom he has on that day awarded cars for the loading of grain, and the car numbers so awarded respectively. Notice of application to be posted.

202. An applicant may order the cars awarded to him to be spotted or placed by the railway company at any country elevator, or loading platform, or at any siding, or elsewhere subject to the provisions of this Act; and the railway company shall so spot or place cars as ordered by applicants. Spotting and placing of cars by company.

203. Each person to whom a car has been allotted under the foregoing provisions shall, before commencing to load it, notify the railway agent of its proposed destination. Notice of destination by applicant to railway agent.

204. A car shall not be considered to be furnished or supplied until it is placed for loading as directed in the application in the car-order-book. When car is considered furnished.

Order of distribution in case of failure to fill car order.

205. If there is a failure at any shipping point to fill all car orders as aforesaid, the following provision shall apply to the application for and distribution of cars:—

- (a) beginning at the top of the list in the order-book and proceeding downwards to the last name entered on the list, each applicant shall receive one car as quickly as cars can be supplied; 5
- (b) when an applicant has loaded or cancelled a car allotted to him he may, if he requires another car, become eligible therefor by placing his name, together with the section, township and range in which he resides, or other sufficient designation of his residence at the bottom of the list; and when the second car has been allotted to him and he has loaded or cancelled it, he may again write his name, together with such designation of his requirements at the bottom of the list; and so on, until his requirements have been filled; 10 15
- (c) no applicant shall have more than one unfilled order on the order book at any one time.

Equitable distribution of cars during car shortage.

206. The Board may in its discretion during a car shortage direct the railways to make an equitable distribution of empty grain cars to all stations in proportion to the amount of grain available for shipment from such stations. 20

Special powers to Board to order supply of cars.

207. The Board may, in its discretion, order cars to be supplied, contrary to the provisions of this Part, to elevators that are in danger of collapse, or in cases where the operator of any country elevator reports in writing under oath that some portion of the grain in such elevator is heated, and that in order to preserve the same it is necessary to ship such heated grain to the terminal elevator for treatment: Provided, however, that no relief shall be granted in such last mentioned cases as long as the warehouseman has plenty of room in his building for the rehandling of such grain. 25 30

Powers.

Proviso.

Conditions respecting carloads to eastern points.

208. Grain in carloads offered for shipment to points in Canada east of Winnipeg may be consigned "to be held at Winnipeg for orders" en route to its destination on the direct line of transit on the following conditions:— 35

(1) The shipper shall pay to the agent of the transportation company at the point of shipment the sum of three dollars per car. 40

(2) The shipper shall endorse upon the consignment note and shipping receipt "This car to be held at Winnipeg for orders," with the name and address of some company, firm, or person resident in Winnipeg, who will accept advice from the carrier of its arrival in Winnipeg and who will give to the carrier instructions on behalf of the owner for its disposal. 45

(3) Twenty-four hours free time after such advice of arrival shall be allowed the advisee in which to dispose of the property.

(4) If the carrier, within twenty-four hours free time 5 referred to in paragraph (3), receives written directions for delivery within its Winnipeg-St. Boniface terminals, such delivery shall be made to team tracks or industrial spurs or sidings within its own terminals upon payment of the current grain rate in effect to Winnipeg or St. Boniface at the time of 10 shipment, and surrender of the bill of lading.

(5) The carrier may, in the absence of written instructions from the advisee for the disposal of the grain within the free time mentioned in paragraph (3), forward the grain to its destination as consigned.

15 (6) Grain shipped to be "held at Winnipeg for orders" delivered in Winnipeg or St. Boniface, as provided in paragraph (4), may be sent forward to any point in Canada east of Winnipeg within six months of its receipt at Winnipeg or 20 St. Boniface at the balance of the through rate from the initial point to destination, as provided in the carrier's authorized tariff in force on the date of the initialed shipment, plus one cent per hundred pounds terminal charges, less the three dollars per car mentioned in paragraph (1).

(7) The detention of grain at Winnipeg-St. Boniface, 25 under this section, shall not affect the application of the provisions of Part II of this Act with respect to such grain.

(8) In case of the congestion of traffic caused by the operation of this section, the Board of Railway Commissioners for Canada may make an order suspending the 30 operations of this section for the period mentioned in such order.

(9) The provisions of this section shall have effect only from the fifteenth day of December in any year to the first day of September in the following year.

35 **209.** Nothing in this Part shall be construed to relieve any railway company from any liability imposed by *The Railway Act*, or to deprive any person of any right of action against a railway company conferred by that Act. Liabilities created by *The Railway Act* preserved. R.S., c. 37.

COMMISSION MERCHANTS.

40 **210.** Any person desiring to carry on the business of grain commission merchant in the Western Inspection Division shall make application in writing to the Board for a license to sell grain on commission, stating the locality where he intends to carry on such business, and the probable amount of business he will do monthly. Application for license to deal on commission.

- Bond.** **211.** On receiving such application the Board shall fix the amount of a bond to be given to His Majesty with sufficient surety, for the benefit of persons entrusting such commission merchants with consignments of grain to be sold on commission. 5
- Condition of bond.** **212.** If such commission merchant receives grain for sale on commission, the said bond shall be conditioned that he faithfully account and report to all persons entrusting him with grain for sale on commission, and pay to such persons the proceeds of the consignments of grain received by him, less the commission earned on account of the making of such sale, and necessary and actual disbursements. 10
- When sale not on commission.** **2.** If he does not receive grain for sale on commission the bond shall be conditioned for the faithful performance of his duties as such commission merchant. 15
- License fee.** **213.** Upon the execution of such bond to the satisfaction of the Board, and upon payment of the license fee of two dollars, the Board shall issue a license to the applicant to carry on the business of grain commission merchant until the expiration of the current license year: Provided that if the amount of business done exceeds that provided for in the bond, the Board may at any time require such additional bond as it deems necessary. 20
- Additional bond.** **214.** All statements made under the provisions of this Part shall be for the exclusive information of the Board, and no other person shall be permitted to see or examine the said statements unless they are required for use in court, and in such case the Board shall produce all statements and documents referring to the case. 25
- Statements exclusively for Board.**
- License to be a condition precedent.** **215.** No person shall engage in the business of selling grain on commission, or receive or solicit consignments of grain for sale on commission, in the Western Inspection Division, without first obtaining such annual license from the Board. 30
- Report and statement of sale by commission merchant.** **216.** Whenever any grain commission merchant sells all or a portion of any grain consigned to him to be sold on commission, he shall within twenty-four hours of such sale report such sale to the consignor, and shall render to the consignor a true statement of such sale showing,— 35
- (a) what portion of the consignment has been sold; 40
 - (b) the price received therefor;
 - (c) the date when sale was made;
 - (d) the name or names of the purchaser;
 - (e) the grade;

- (f) the amount of advance;
 (g) the terms and delivery of sale.

2. The said report and statement shall be in the form Form.
 F in the Schedule to this Part, and shall be signed by the
 5 grain commission merchant or by his duly appointed agent,
 and there shall be attached thereto vouchers for all charges
 and expenses paid or incurred.

217. Whenever any consignor who has consigned grain
 to any commission merchant, after having made demand
 10 therefor, as aforesaid, receives no remittance, or report of
 the sale, or if in any case after report is made the consignor
 is dissatisfied with the report of sale thereof, he may make
 a complaint in writing, verified by affidavit or statutory
 declaration, to the Board, who shall thereupon investigate
 15 the sale complained of.

Complaint in
 writing by
 consignor to
 Board.

2. The Board may compel the commission merchant to
 produce his books and records and other memoranda of
 such sale and give all information in his possession regarding
 the report of sale so complained of, including the names of
 20 persons to whom the grain is sold or disposed of.

Powers of
 Board.

3. Immediately after the investigation the Board shall
 render to the complainant a written report of the investiga-
 tion, which shall be *prima facie* evidence of the matter
 therein contained.

Board's
 report of
 investigation.

TRACK BUYERS.

25 **218.** Unless already licensed and bonded sufficiently in
 the opinion of the Board to carry on the business of a track
 buyer, no person shall carry on the business of a track buyer
 without first having obtained a license so to do from the
 Board and entered into a bond, with sufficient sureties, for
 30 such amount and in such form as is approved by the Board.

License and
 bonds of
 track buyers.

2. The annual fee for such license shall be two dollars.

License fee.

3. This section shall not apply to any person who, at or
 before the time of the receipt of the grain, pays to the
 vendor the full purchase price thereof.

Cash
 purchases of
 grain not
 subject to
 section.

35 **219.** Every person licensed as a track buyer shall on
 demand within twenty-four hours after the receipt of the
 expense bill and certificates of weight and grade, account to
 and pay over to the vendor the full balance of the purchase
 money then unpaid, and shall, upon demand, by, or on
 40 behalf of the vendor, furnish duplicate certificates of weight
 and grade, with car number and date and place of shipment.

Payment of
 the purchase
 money.

2. Every person who buys grain on track in carload lots,
 shall keep true and correct account in writing in proper
 books of all grain bought by him in such carload lots, and

Duties of
 track buyer.

shall deliver to the vendor of each such carload lot of grain a grain purchase note, retaining himself a duplicate thereof; which note shall bear on its face the license season, the license number of such track buyer's license, the date and place of purchase, the name and address of such track buyer, the name and address of the vendor, the initial letter and number of the car purchased, the approximate number of bushels and kind of grain contained therein, and the purchase price per bushel in store at Fort William, Port Arthur or other destination; such grain purchase note shall also express upon its face an acknowledgment of the receipt of the bill of lading issued by the railway company for such carload shipment, the amount of cash paid to the vendor in advance as part payment on account of such car lot purchase, also that the full value of the purchase money shall be paid to the vendor immediately the purchaser shall have received the grade and weight certificates and the railway expense bill. Every such grain purchase note shall be signed by the track buyer or his duly appointed agent, and the vendor shall endorse his acceptance of the terms of the sale thereon as well as his receipt for payment of the money advanced him on account of such carload lot sale.

Application
of Act to
licenses.

220. All provisions of this Part relating to commission-merchants shall, so far as applicable, apply to licenses issued to track buyers.

25

General Provisions.

Pooling of
country
elevators
prohibited.

221. No person or corporation, or their agent, operating a country elevator, shall enter into any contract, agreement, understanding or combination with any other such person, corporation, or their agent, for the pooling or divisions of earnings or receipts of such country elevators, or divide with any other such person or corporation, or their agent, the gross or net earnings or receipts of such country elevators or any portion thereof.

Penalty.

2. The contravention of any provision of this section shall be an offence against this Part punishable, on summary conviction, by a fine not exceeding one thousand dollars and not less than five hundred dollars, for each offence.

Uniform
charges.

222. The rate that may be charged for the cleaning or storing of grain in any country elevator shall be the same in all the elevators operated by any one person or company: Provided, however, that if it is shown to the satisfaction of the Board that a lower rate than that charged for cleaning or storing grain in the elevators of any person or company is necessary at any point in order to meet competition, the

Proviso.

40

Board may give written permission to charge such lower rates at that point as are in its opinion necessary to meet such competition, and at the same time authorize the ordinary rates at all other elevators belonging to such person
5 or company.

223. Twenty-four hours shall be allowed for loading a car direct from vehicle or at a flat warehouse, which twenty-four hours shall be reckoned from the time when the car is placed at the shipper's disposal on siding. Time for loading car.

10 **224.** Every operator of a country elevator shall, at the close of every day that such an elevator is open for business, furnish to the nearest station agent of the railway, upon the line of which such elevator is situate, a statement of the total quantity of grain that day taken into such elevator, and of the total quantity of grain in store in such
15 elevator at the end of the day. Daily statement for nearest station agent.

225. Any country elevator which was on the sixth day of July, one thousand nine hundred, doing business in the storing or shipping of grain at any point on the line of any railway in the Western Inspection Division, shall
20 be allowed to continue to do business at that point, and shall not without the consent of the owner, except for non-compliance with the law, be removed or refused cars for the shipping of grain, although elevators of greater or other
25 capacity are erected at such point. Warehouses or elevators business on 6th July, 1900.

226. All moneys collected under the provisions of this Part shall be paid to the Board for deposit to the Consolidated Revenue Fund of Canada as provided in section 61 of this Act. How moneys shall be dealt with.

30 **227.** Nothing in this Act shall be construed to require the receipt of any kind of grain into any elevator in which there is not sufficient room to accommodate or store it properly, or in cases where the elevator is necessarily closed. Grain not required to be received if no room or elevator closed.

228. The chief inspector and any inspector, deputies or
35 officials serving under him, before opening the doors of any car containing grain upon its arrival at any place designated by law as an inspection point, for the purpose of inspecting such grain, shall,—

- 40 (a) ascertain the condition of such car and determine whether any leakages have occurred while the car was in transit; and,
(b) make a record of any leakage found, stating the facts connected therewith.

- Report. 2. Such inspector, deputy or official shall forthwith report the defective condition of such car to the proper railway official, and to the Board.
- Identity of grain. **229.** For the purpose of preserving the identity of grain in transit from Winnipeg to points of consumption in eastern Canada or to ports of export shipment on the seaboard, the Board may grant to any shipper permission to lease for such term as is approved by him special bins in such terminal elevators as are necessarily used in the transportation of grain eastward from Winnipeg for the special binning of grain in transit. The bin capacity which may be so leased in any terminal elevator shall be as the Board shall approve, but shall not be less than sixteen thousand bushels in any such elevator. The term of the several leases shall be as approved by the Board. 5 10 15
- Special bins. 2. The shipper receiving such permission may, subject to its terms, enter into an agreement for the lease of special bins in terminal elevators necessary to the transportation of grain from Winnipeg to the point of destination.
- Lease of. 3. The rates to be paid for the lease of such special bins shall be such as are agreed upon: Provided that on payment of the regular rate for the full capacity leased for the full term of the lease the shipper acting under the permission of the Board as in this section provided, shall be given a lease of the bin capacity to which he thereby becomes entitled. 20 25
- Rates for. 4. Upon the shipper who has secured such permission producing to the Board satisfactory evidence that he holds leases of such special bins in the several terminal elevators necessary to the transportation of grain from Winnipeg to the point of destination as will enable him to preserve the identity of the grain during its transportation from Winnipeg to the point of destination in lots of not less than sixteen thousand bushels each, and that such leases are in accordance with the permission already granted, the Board may authorize such shipper to take such means as are necessary or possible within the provisions of this Act to preserve the identity of grain which he desires to ship through the elevators in which he holds leases of special bins. 30 35
- Means authorized by Board for preservation of identity of grain. 5. The Board shall issue such instructions and regulations within the provisions of this Act as are practicable and necessary for the preservation of the identity of grain which is being shipped by the shipper to whom permission has been given as provided in this section, using the bins specially leased in the several elevators as above provided for the storage and transshipment of such grain: Provided always that nothing in this section or in such instructions or regulations shall be construed to authorize the placing of grain of different grades in the same special bin in any terminal elevator. 40 45
- Instructions and regulations by Board.

6. An infraction of any of the instructions or regulations issued by the Board under this section shall be deemed to be an infraction of the provisions of this Act. Infraction.
7. The provisions of Part II of this Act shall apply to grain specially binned in transit under the provisions of this section. Application of Part.
8. The provisions of this section shall have effect only from the fifteenth day of December in any year to the first day of September in the following year. Commencement.
- 10 **230.** The rules and regulations made under the authority of this Act shall be posted up by the Board in a conspicuous place in every licensed elevator. Rules and regulations posted up.
- 15 **231.** Such of the said rules and regulations as refer to dealings between producers, buyers, shippers and elevators, together with such portions of this Act as the Board deems proper, shall be printed in reasonably large type by the Board and posted in a conspicuous place in every licensed elevator by the owner thereof. Certain regulations to be posted up by owner of elevator, etc.
- 20 **232.** When testing sieves are used for the purpose of dockage, the wire cloth used in their construction shall have ten meshes to the inch each way and be of number twenty-eight standard gauge hard tinned steel wire, and every such sieve shall be verified by the Board. Kind of sieve to be used.
2. No damaged or defective sieves shall be used. Damaged sieves.
- 25 **233.** Any person in charge of scales at any elevator under this Act who finds that such scales are defective shall report the fact to the inspector of weights and measures, and to the owner of such elevator. Defective scales to be reported.
2. No new elevator shall be operated until the scales are inspected and approved by the proper weights and measures officials. Inspection of sales.
- 30 **234.** Where in any elevator grain is cleaned before being weighed the provisions of this Act requiring statement of gross weights shall not apply to such grain. As to weight of cleaned grain.
- 35 **235.** The Board may, within one year from the time of any license being revoked, refuse to renew the license or to grant a new one to the person whose license has been revoked. Board may refuse to renew license.

OFFENCES AND PENALTIES.

- 40 **236.** Except as to the delivery of grain previously stored in a terminal elevator, every person who transacts the business of a terminal warehouseman, without first procuring a Penalty on unlicensed warehouseman.

license as herein provided, or who continues to transact such business after such license has been revoked, shall, on conviction upon indictment, be liable to a penalty of not less than fifty dollars nor more than two hundred and fifty dollars for each and every day he so transacts or continues to transact such business. 5

Interfering
with weigh-
masters.

237. Every person who, by himself or by his agent or employee, refuses or prevents a weighmaster or any of his assistants from having access to his scales, in the regular performance of his or their duties in supervising the weighing of grain in accordance with this Act, shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars for each offence. 10

Penalty.

Operating
country
elevator
without
license.

238. Every person who,—
(a) operates a country elevator without first procuring a license as herein provided; or
(b) after his license in that behalf has been revoked continues to transact any business connected with the operation of a country elevator, other than the delivery of grain previously to such revocation stored therein; shall on conviction, upon indictment, be liable to a penalty of not less than ten dollars and not more than fifty dollars for each and every day he so operates such elevator or continues to transact such business. 15 20

Penalty.

Using any
form other
than those
in schedule.

239. Every person who uses any form other than those in the Schedule to this Part or authorized by the Board with the approval of the Governor in Council shall, in case any of such forms is applicable, be guilty of an offence under this Act, and shall be liable to a fine or forfeiture of license. 25

Falsification
or misstate-
ment of
weight.

240. Every person who wilfully falsifies or misstates the weight of grain as weighed, or who uses concealed or other weights in such a way as to falsify or change the apparent weights of grain being weighed, shall be guilty of an offence punishable with fine or forfeiture of license, or both. 30

Penalty.

Manipulation
of grain
with intent
to deceive.

241. Every person offering for sale or storage grain the different qualities of which have been wilfully manipulated with intent to deceive the person to whom it is so offered for sale, or the person receiving it for warehousing, as to the true quality of such grain, shall be guilty of an offence. 35

Penalty.

Penalty for
certain
offences as
respects
terminal
elevators.

242. Every person is guilty of an offence and liable on summary conviction to a penalty of not less than five thousand dollars and costs and not exceeding twenty thousand dollars and costs and to imprisonment for any term not exceeding two years, who— 40

- (a) while owning, managing, operating or being otherwise interested in any terminal elevator, buys or sells grain at any point in the Western Inspection Division contrary to the provisions of section 123 of this Act; Owner, etc., buying or selling grain.
- 5 (b) mixes different grades of grain while such grain is stored in any terminal elevator; Mixing grades.
- (c) makes any untrue statement (with respect to anything required by this Act) as to the receipts or shipments into or out of any terminal elevator or as to the quantity, kind, or grade of grain in store in a terminal elevator. Untrue statements.
- 10
2. If any corporation is convicted of an offence under this section, every officer of such corporation and every person interested in or employed by the said corporation who had any part or share in the commission of such offence, shall also be personally liable to the said penalties. Personal liability of officers, etc., of corporations.
- 15
3. Any terminal elevator in respect of which or in which any offence mentioned in this section has been committed shall not be licensed or operated for a period not exceeding one year in the discretion of the Board after the conviction of the person committing the offence. Suspension of license.
- 20
- 243.** Every person guilty of an infraction of, or failing to comply with the requirements of this Act, for which a penalty is not in this Act provided, or of any rule or regulation made pursuant to this Act, shall, upon summary conviction, in addition to any other punishment prescribed by law, be liable to a penalty of not less than ten dollars, nor more than one thousand dollars, and, in default of payment, to imprisonment for not less than one month nor more than one year. Person violating this Act. Penalty.
- 25
- 244.** Every corporation guilty of an infraction of, or failing to comply with the provisions of this Act, for which a penalty is not in this Act provided, or of any rule or regulation made pursuant to this Act, shall, upon summary conviction, in addition to any other punishment prescribed by law, be liable to a penalty of not less than ten dollars nor more than one thousand dollars. Corporation violating this Act. Additional penalty.
- 35
- 242.** Every one who,— Offences in connection with applications for cars.
- 40 (a) transfers or sells his right to any car allotted to him for shipping grain, or to be allotted to him for shipping grain, or,
- (b) purchases, takes over or accepts any assignment or transfer of the right of any applicant entitled to a car for shipping grain; or,
- 45 (c) loads any such car which has not been allotted to him by the station agent, or out of his turn loads such car; or,

	(d) not being the agent, duly authorized in writing, of an applicant for a car for shipping grain, obtains the placing of a name on the car-order-book as the name of an applicant for a car for shipping grain;	
Penalty.	is guilty of an offence and liable, on summary conviction, to a penalty not exceeding one hundred and fifty dollars and not less than twenty-five dollars.	5
Disposal of penalty.	2. One half of any penalty imposed under this section, with full costs, shall be paid to the person who informed and prosecuted for the same.	10

EXPENSES OF ADMINISTRATION.

Fees for expenses of administration.	246. The expenses of the administration of this Act shall be paid by the imposition of such fees as are necessary for that purpose, and the Board, with the approval of the Governor in Council, may fix such fees and determine how and by whom they shall be paid.	15
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REPEAL.

Repeal.	247. The following enactments are hereby repealed on and after the date upon which the Board of Grain Commissioners for Canada is appointed by the Governor in Council as provided by section 3 of this Act:—	
Date.		
R.S., c. 83.	<i>The Manitoba Grain Act</i> , chapter 83 of <i>The Revised Statutes</i> , 1906;	20
1908, c. 45.	<i>The Manitoba Grain Inspection Act</i> , 1908, chapter 45 of the statutes of 1908;	
R.S., c. 85, Part II.	Part II of <i>The Inspection and Sale Act</i> , chapter 85 of <i>The Revised Statutes</i> , 1906;	25
1908, c. 36.	<i>The Inspection and Sale of Grain Amendment Act</i> , 1908, chapter 36 of the statutes of 1908.	

SCHEDULE.

A.

CASH TICKET.

(Sec. 157)

No.

..... Station.

(Date.)

Purchased from.....bushels (*net*)
 Weighing.....pounds (*give weight in words*)
(*grade*).....(*kind of grain*)
 Price per bushel....(*in words*) ..total cash payable \$..
 Gross weight.....bushels.....pounds.....
 Dockage.....pounds.....bushels.
 Net weight.....pounds.....bushels.

By.....

Agent.

B.

STORAGE RECEIPT.

(Sec. 157)

No.....

.....Elevator (*or warehouse*).

(Date).

Received into store from....,bushels weighing....
 pounds.....(*grade*).....(*kind of grain*).... (weight
 and grade guaranteed by this warehouse) to be stored and
 insured against loss by fire under the following conditions:

The charge for receiving, cleaning, insuring against loss by
 fire, handling, storing fifteen days and shipping grain is....
 cents per bushel. (*It is provided by law that this charge shall
 not exceed.....cents per bushel.*)

Each succeeding 30 days or part thereof is
of a cent per bushel including insurance against loss by fire.
(It is provided by law that this charge shall not exceed
of a cent per bushel.)

Upon the return of this receipt and tender or payment of
above named charges accruing up to the time of the return
of this receipt, the above quantity, grade and kind of grain
will be delivered, within the time prescribed by law, to the
person above named or his order, either from this elevator
or warehouse, or, if either party desires, in quantities of not
less than carload lots at any terminal elevator in the Western
Inspection Division, on same line of railway or any railway
connecting therewith, as soon as the transportation com-
pany delivers the grain at the said terminal, and certificates
of grade and weight are returned, subject to freight, weigh-
ing and inspection charges at such terminal point, the grade
and weight of such grain to be delivered to be such as will
conform to the grade, and, as nearly as possible, to the weight
first above mentioned, on Government inspection and weigh-
ing thereof at such terminal point.

Weight gross:bushelspounds.
Dockage:bushelspounds.
Weight net:bushels pounds.
(net weight in words)

By
Agent.

C.

STORAGE RECEIPT FOR SPECIAL BINNED GRAIN.

(Sec. 157)

No.

.....Elevator (or warehouse).

....., 191...

Received into store from.....bushels, weighing
.....pounds..... (kind of grain)..... Bin
No.....(weight and identity of grain guaranteed
by this warehouse) to be stored and insured against loss by
fire under the following conditions:

The charge for receiving, cleaning, insuring against loss
by fire, handling, storing 15 days and shipping grain is

..... cents per bushel. (*It is provided by law that this charge shall not exceed.....cents per bushel.*)

Each succeeding 30 days or part thereof is.....of a cent per bushel, including insurance against loss by fire. (*It is provided by law that this charge shall not exceed..... of a cent per bushel.*)

Upon return of this receipt and tender or payment of above named charge, accruing up to the time of the return of this receipt the identical grain so received into store will be delivered within the time prescribed by law to the person above named or his order, either from this elevator or warehouse, or, if either party so desires, in quantities of not less than carload lots at any terminal elevator in the Western Inspection Division, on same line of railway or any railway connecting therewith, as soon as the transportation company delivers the grain at said terminal, and certificates of grade and weight are returned, subject to freight, weighing and inspection charges at such terminal point. It is guaranteed that the weight of such grain to be delivered will conform as nearly as possible to the weight first above mentioned, on Government weighing thereof at terminal point.

Weight gross:bushels.....pounds.

Dockage net:bushels.....pounds.

Weight net:bushels.....pounds.
(*net weight in words*)

By.....
Agent.

D.

FLAT WAREHOUSE RECEIPT.

(Sec. 179)

No.....

Flat warehouse.

....., 191..

Received into bin No.....of this warehouse from....., \$.....bushels.....pounds
..... (*kind of grain*) (weight and identity guaranteed by this warehouse) under the following conditions:

The charge for use of such bin for six days (inclusive of one day for loading on car but exclusive of Sunday) and for weighing in and out is.....of a cent per bushel. (*The maximum charge allowed by law therefor being..... of a cent per bushel.*) This warehouse does not insure grain.

Upon return of this receipt and payment or tender of above charges, the owner of said grain will be entitled to have it weighed for him while it is being taken out by him for shipping on car.

Such bin is furnished and such grain received on the understanding that the owner will within six days from the time such bin was furnished to him place therein and have ready for shipping and load on car, one carload of such grain: Provided, that if the owner is not furnished with car by the end of the fifth day of such period of six days, such period shall extend to twenty-four hours after car is furnished.

If a carload of grain is not delivered in said bin and loaded on car within the time above provided, the grain then in said bin will be loaded on car by this warehouseman at an additional charge of one-half of one cent per bushel and shipped to the terminal elevator for the owner, subject to freight and weighing and inspection charges and all charges of this warehouse, including such additional half-cent per bushel for loading on car, or this warehouseman may sell such grain on account of the owner thereof and then shall be liable to account to the owner for the proceeds after deducting all proper charges.

By.....
Agent.

E.

CAR-ORDER BOOK.

(Sec. 195)

..... Railway Company Railway Company.
ORIGINAL CAR ORDER.	RECEIPT. CAR ORDER.
Date.....	Date.....
Time.....	Time.....
Order No.....	Order No.....
..... Station. Station.
To be placed at.....	To be placed at.....
Capacity of car.....	Capacity of car.....
Destination.....	Destination.....
Date when supplied.....	Date when supplied.....
Date when cancelled.....	Date when cancelled.....
Date when loaded.....	Date when loaded.....
No. car supplied.....	No. car supplied.....

I hereby declare by myself or agent appointed in writing that at time of making this order I am the actual owner of a car lot of grain for shipment.

I hereby acknowledge receipt of this order.

(Applicant's signature).....
 (Applicant's residence).....
 (Agent's signature).....
 (Agent's residence).....

.....
 (Station Agent's signature)

76

F.

REPORT OF SALE BY COMMISSION MERCHANT.

(Sec. 216)

No.....
License year 191..191..

License No....

LICENSED GRAIN COMMISSION MERCHANTS.

To.....191 .
(Name of Consignor.) (Date.)

.....
(Address of consignor.)

We advise the following sale made for your account today.

Sold to	Quantity.	Grade.	Price.	Amount of Advances.	Terms.	Delivery.

Yours truly,

.....

TRACK BUYER'S PURCHASE NOTE.

(Sec. 219)

License Year 191..191..

License No.....

.....Station.....191

.....
.....
.....
.....

I have this day bought frominitial letter.....
car No.....containing.....bushels....(more or less)
at.....cents per bushel basis.....in store
Fort William or Port Arthur, weight and grade guaranteed
by seller.

Receipt of bill of lading for same property endorsed by the
consignee is hereby acknowledged.

I have made an advance to Mr..... }
I have issued an order to paying agent to }
advance Mr.....\$......on }
this car, the balance to be paid by.....
.....immediately upon receipt of weight and grade
certificates and railway expense bill.

The spread between grades is to be governed by that
existing on day of inspection, and this rule shall also apply
to commercial grades.

REMARKS.....
.....

.....Buyer.

Accepted, also received payment of advance, \$.....

.....
Seller.

THE HOUSE OF COMMONS
OF CANADA
1911
DECEMBER 9 1911
MR. JOHNSON
1911-12

THE HOUSE OF COMMONS
OF CANADA.

BILL 32.

An Act respecting Grain.

First reading, December 6, 1911.

MR. FOSTER.

THE HOUSE OF COMMONS OF CANADA.

BILL 33.

An Act respecting the Alberta Electric Railway Company, and to change its name to "The Alberta Interurban Railway Company."

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1911, c. 31.
His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

1. The name of the Alberta Electric Railway Company, Change of
hereinafter called "the Company," is changed to "The name.
Alberta Interurban Railway Company," but such change
10 in 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, notwith- Saving of
standing such change in the name of the Company, may be rights.
15 prosecuted, continued, completed and enforced as if this
Act had not been passed.

2. Section 3 of chapter 31 of the statutes of 1911 is S. 3 repealed.
repealed, and in lieu thereof it is enacted that the capital
stock of the Company shall be ten thousand dollars per mile Capital
20 of the total mileage of the Sections of its railway actually stock.
constructed or under contract to be constructed, as such
Sections are defined in section 7 of the said chapter 31:
Provided that the total capital shall not exceed ten million
dollars. No one call thereon shall exceed ten per cent on
25 the shares subscribed."

THE HOUSE OF COMMONS
OF CANADA.

BILL 33.

An Act respecting the Alberta Electric
Railway Company, and to change its
name to "The Alberta Interurban
Railway Company."

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. BENNETT.
(Calgary.)

THE HOUSE OF COMMONS OF CANADA.

BILL 34.

An Act respecting the Algoma Eastern Railway Company.

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

Preamble.
1900, c. 64;
1901, c. 74;
1902, c. 72;
1903, c. 148;
1905, c. 120;
1907, c. 106;
1910, c. 122;
1911, c. 111.

1. The time limited for commencing that part of the railway of the Algoma Eastern Railway Company described in sections 1 and 2 of chapter 148 of the statutes of 1903, as amended by section 1 of chapter 106 of the statutes of 1907, and that part of the said company's railway described in section 7 of chapter 64 of the statutes of 1900, (except those portions of the said company's railway lying between Sudbury and Little Current and between Meaford and Owen Sound respectively), is extended for two years from the passing of this Act, and the time limited for completing the said parts of the said company's railway is extended for five years from the passing of this Act; and if the said parts of the said railway are not so commenced, or are not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Extension of time for construction of portion of railway.

2. That part of the said railway described in section 7 of chapter 64 of the statutes of 1900 which lies between Meaford and Owen Sound may be commenced within two years after the passing of this Act, but if the construction of the said part of the said railway is not so commenced and one hundred and fifty thousand dollars is not expended thereon within the said two years and if the said part of the said railway is not so completed and put in operation within three years after the passing of this Act, the powers

Extension of time for construction of Meaford and Owen Sound branch.

of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said part of the said railway as then remains uncompleted.

1910, c. 122
amended.

3. Sections 1, 2 and 3 of chapter 122 of the statutes 5 of 1910 are repealed.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 34.

An Act respecting the Algoma Eastern
Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. BOYCE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 35.

An Act respecting the Architectural Institute of Canada, and to change its name to "The Royal Architectural Institute of Canada."

WHEREAS the Architectural Institute of Canada, hereinafter called "the Institute," was incorporated by chapter 82 of the statutes of 1908; and whereas, by special permission of His Excellency the Governor General, dated the second day of June, one thousand nine hundred and nine, his late Majesty, King Edward VII, was graciously pleased to grant permission to the Institute to adopt the prefix "Royal"; and whereas the Institute 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:—

1. Section 1 of chapter 82 of the statutes of 1908 is amended by inserting the word "Royal" between the words "The" and "Architectural" and between the words "L'Institut" and "d'Architecture" in the two last lines thereof.

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

"3. The objects of the Institute shall be to act in all matters of an international or national character affecting the profession of architecture, and to encourage investigation in connection with all branches and departments of knowledge connected with the profession of architecture."

3. Section 4 of the said Act is repealed, and the following is substituted therefor:—

"4. The following persons only, in addition to those who are already members of the Institute, shall be members thereof, namely, the members of the provincial architectural associations throughout Canada recognized by the Institute."

S. 5 amended. **4.** Subsection 2 of section 5 of the said Act is repealed.

New s. 6. **5.** Section 6 of the said Act is repealed, and the following is substituted therefor:—

Council. **“6.** The Council of the Institute shall be composed of members of recognized provincial associations. Associations of forty members or less shall each be entitled to appoint two members to the Council. Associations of over forty members shall each be entitled to appoint one member of the Council for each additional forty members, or fraction thereof. The Council shall elect the officers of the Institute.”

THE HOUSE OF COMMONS
OF CANADA.

BILL 35.

An Act respecting the Architectural Institute of Canada, and to change its name to “The Royal Architectural Institute of Canada.”

First reading, January 10, 1912.

(PRIVATE BILL.)

SIR EDMUND OSLER.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 36.

An Act respecting Barcelona Traction Light and Power Company, Limited, and to change its name to "Barcelona Tramway, Light and Power Company, 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. The name of the Barcelona Traction Light and Power Company, Limited, incorporated under *The Companies Act*, chapter 79 of the Revised Statutes, 1906, hereinafter called "the Company," is changed to "Barcelona Tramway, Light and Power 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 anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Change of name.

Saving of rights acquired.

2. Subject to the laws in force in the Kingdom of Spain and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the Kingdom of Spain, 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

Powers of Company in Spain.

Railways.

Tramways.

- Telegraphs. 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.
- Telephones. 5
- Carriers. 10
- Acquisition of properties of other companies. 15
- 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 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.
- Liability of Company for entry without cancellation. **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.
- To what extent bearer is shareholder. **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
- Warrant will not qualify bearer as director. 35
- Particulars to be entered in register. 40

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
 10 in the books of the Company in respect of such share, or shares; and on the surrender of a warrant the date of such
 15 surrender shall be entered as if it were the date at which
 20 a person ceased to be a shareholder.

Date of
surrender to
be entered.

8. The directors may determine and vary the condi-
 15 tions 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
 20 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
 25 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.

THE HOUSE OF COMMONS
OF CANADA.

BILL 36.

An Act respecting Barcelona Traction
Light and Power Company, Limited,
and to change its name to "Bar-
celona Tramway, Light and Power
Company, Limited."

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. MACDONELL.

THE HOUSE OF COMMONS OF CANADA.

BILL 37.

An Act respecting the Calgary and Fernie Railway Company.

WHEREAS the Calgary and Fernie Railway Company Preamble.
has by its petition prayed that it be enacted as here- 1906, c. 71;
inafter set forth, and it is expedient to grant the prayer of 1908, c. 89;
the said petition: Therefore His Majesty, by and with 1910, c. 77.
5 the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The Calgary and Fernie Railway Company may Extension of
commence the construction of its railway, and expend fifteen time for
per cent of the amount of its capital stock thereon, within construction.
10 two years after the passing of this Act, and may complete
the said railway and put it in operation within five years
after the passing of this Act; and if, within the said periods
respectively, the said railway is not so commenced and such
expenditure is not so made, or is not so completed and put
15 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.

2. Chapter 77 of the statutes of 1910 is repealed. 1910, c. 77
repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 37.

An Act respecting the Calgary and
Fernie Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. GOODEVE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 38.

An Act respecting the Canadian Northern 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. This Act may be cited as *The Canadian Northern Railway Act, 1912*.

Short title.

2. The Canadian Northern Railway Company, hereinafter called "the Company," may construct the lines of railway authorized by paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) of section 2 of chapter 80 of the statutes of 1910, namely:—

Time for construction of railway extended.

(a) From a point at or near Dundee, thence in a generally northerly and easterly direction to a point on the Winnipeg river in or near township 18, range 10, east of the principal meridian;

(b) From a point on the Company's line of railway at or near Portage la Prairie, thence in a generally southerly and easterly direction to a point on the Ridgeville section of its line of railway in or near township 2, range 7, east of the principal meridian;

(c) From a point on its line of railway at or near Hartney, thence in a generally westerly direction to a point on its authorized line in or near township 5, range 7, west of the second meridian;

(d) From a point at or near Moosejaw, thence in a generally southerly and easterly direction, keeping west of Moosejaw creek and the Souris river, to a point in or near township 2, thence easterly to a point at or near Bienfait, with a branch from a point on such line or location at or near Estevan to a point at or near Roche Percee in township 1 range 6, west of the second meridian;

(e) From a point on the Qu'Appelle, Long Lake and Saskatchewan Railway between Davidson and Disley, thence in a generally westerly and northwesterly direction to a point on the Saskatoon-Calgary line in or near township 30, range 14, west of the third meridian; 5

(f) From a point on its main line at or near Lashburn in township 48, range 25, west of the third meridian, thence in a generally westerly and northwesterly direction to a point on its authorized line between Edmonton and Camrose in or near township 50, range 22, west of the fourth meridian; 10

(g) From a point on its Saskatoon-Calgary line in or near township 28, range 6, west of the fourth meridian, thence in a generally northwesterly and westerly direction to a point at or near Rocky Mountain House on the North Saskatchewan river; 15

(h) From a point on its Saskatoon-Calgary line at or near the crossing of the Red Deer river in or near township 28, range 19, west of the fourth meridian, thence in a generally northwesterly and westerly direction, passing through or near Innisfail and Rocky Mountain House, to the headwaters of the Brazeau and McLeod rivers, and thence to a point on its authorized line at or near the Yellow Head Pass;

(i) From a point on its constructed line near Winnipegosis, thence in a generally southerly and easterly direction to a point on its constructed line near the south end of Lake Manitoba;

(j) From a point on its authorized line between Prince Albert and Battleford in or near township 49, range 3, west of the third meridian, thence in a generally northwesterly and northerly direction to a point at or near Fort Resolution on the Great Slave Lake;

(k) From a point on its authorized line east of Lake Manitoba, thence westerly, via the narrows, to a point on its constructed line between Grand View and Roblin. 35

Time for construction of railways extended.

3. The Company may also construct the lines of railway authorized by paragraphs (e), (g), (i), (k), and (l) respectively, of section 2 of chapter 92 of the statute of 1908, (the time for the construction of which lines was extended by section 6 of chapter 80 of the statutes of 1910), namely:— 40

(i) From Regina southwesterly to a point on the international boundary between ranges 1 and 4 west of the third meridian;

(ii) From a point on its Rossburn branch near Russell westerly via Yorkton to a point on its authorized line near Goose lake, Saskatchewan; 45

(iii) From a point ten miles north of the Company's line between Winnipeg and Ste. Anne, thence in a generally southerly direction to the Manitoba boundary;

(iv) From a point on the Company's authorized line at or 5 near or west of Battleford, thence in a generally westerly direction to a point on the headwaters of the Brazeau river;

(v) From a point in or near Regina northerly to or near 10 Humboldt, thence northeasterly down or near the valley of the Carrot river to a point at or near the Pas Mission on the Saskatchewan river, and from a point on the Company's line between Humboldt and the South Saskatchewan river northeasterly to a point at or near the crossing of the South Saskatchewan river by the Company's Prince Albert branch.

4. The Company may construct the following lines of 15 railway authorized by chapter 45 of the statutes of Alberta of 1909 in respect of the Alberta Midland Railway Company, which has been amalgamated with the Company, and which lines may be shortly described as follows:—

Lines of railway authorized in Alberta.

(a) From a point at or near Vermilion to or near Whit- 20 ford Lake, and thence to a junction with the Company's line near Bruderheim;

(b) From a point near Morinville, thence easterly to the eastern boundary of Alberta;

(c) From a point at or near Edmonton, thence northwest- 25 erly to a point on the Peace river;

(d) From near the authorized crossing of the Little Bow river, southerly via Macleod to the south boundary of Alberta;

(e) From a point on the last mentioned line, westerly 30 to the western boundary of Alberta;

(f) From a point between Cardston and the southern boundary of Alberta, westerly to the western boundary of Alberta;

(g) From Calgary westerly to Cochrane, Exshaw and 35 Banff, and from a point in Cochrane northerly to intersect the Company's line near Pigeon lake;

(h) From Cochrane southerly to Nanton;

(i) From Little Beaver lake northwesterly to Wetaskiwin, 40 thence westerly to or near Pigeon Lake, thence northwesterly to connect with the Company's authorized line;

(j) From a point at or near Content, westerly via Red Deer to or near Rocky Mountain House.

5. The Company may construct the following lines of 45 railway authorized by chapter 18 of the statutes of Saskatchewan of 1908-1909, in respect of the Saskatchewan North-Western Railway Company, which has been amalgamated

Lines of railway authorized in Saskatchewan.

with the Company, and which lines may be shortly described as follows:—

(a) From a point between Aylesbury and Davidson, northerly and westerly to the west boundary of Saskatchewan;

(b) From a point on the Company's line between Kaiser and the east boundary of Saskatchewan, westerly to the west boundary of Saskatchewan south of the Saskatchewan river;

(c) From a point in or near Moosejaw, southerly and easterly to the International boundary.

Lines of railway authorized in Saskatchewan.

6. The Company may construct the following lines of railway authorized by chapter 41 of the statutes of Saskatchewan of 1909, in respect of the Saskatchewan Midland Railway Company, which has been amalgamated with the Company, and which lines may be shortly described as follows:—

(a) From a point on the Company's authorized line within ranges 1 and 2 west of the third meridian, northeasterly to join the Company's Thunderhill Branch;

(b) From a point on the Company's line between Kaiser and Kendal, southwesterly, westerly and northwesterly to Swift Current; and from Swift Current to a point at or near Saskatchewan Landing and northerly and easterly to a point on the Company's line near Delisle;

(c) From a point on the Company's Brandon-Regina branch between Lovat and Kendal, southwesterly to the International boundary;

(d) From a point at or near Regina, southerly and easterly to or near North Portal on the International boundary.

Time for construction of railways limited.

7. If the said lines are not commenced within two years, and are not completed and put in operation within five years, after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

THE HOUSE OF COMMONS
OF CANADA.

BILL 38.

An Act respecting the Canadian Northern Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. STAPLES.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 39.

An Act respecting the Canadian Northern Montreal Tunnel and Terminal Company, Limited.

WHEREAS the Canadian Northern Montreal Tunnel and Terminal Company Limited, hereinafter called "the Company," has represented that it is incorporated under the provisions of *The Companies Act*, and has by its petition 5 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.

10 **1.** The undertaking of the Company is declared to be a work for the general advantage of Canada, and the Company, as now organized and constituted, is declared to be a body corporate and politic within the legislative authority of the Parliament of Canada.

Declaratory.

15 **2.** The Company may construct and operate the following works:—

Tunnel and railway authorized.

(a) A tunnel (for one or more railway tracks) running from a point in the city of Montreal, thence in a generally westerly direction under Mount Royal, with the necessary approaches thereto and air shafts and other outlets and off-takes therefrom and terminals and works incidental to the use and operation thereof;

20
25 (b) Lines of railway to connect the works of the Company with the lines and tracks of the Canadian Northern Ontario Railway Company, of the Canadian Northern Quebec Railway Company, and of the Harbour Commissioners of Montreal.

30 **3.** The Company shall not construct or operate its lines of railway along any highway, street or other public place without first obtaining the consent, expressed by by-law,

Consent of municipalities.

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.

4. The securities issued by the Company in respect of the works authorized by section 2 of this Act shall not exceed twenty million dollars. 5

Special powers.

5. In addition to the powers contained in *The Railway Act*, which are hereby declared to apply to the tunnel and other works authorized by section 2 of this Act, the Company may, for the purposes of such tunnel and works,— 10

(a) expropriate and take an easement in, over, under or through any lands;

(b) in reduction of the damage or injury to any lands taken or affected by such authorized lines and works, abandon or grant to the owner or party interested, 15 therein any portion of such lands or any easement or interest therein or make any structures, works or alterations in or upon its works for such purposes.

Assessment and award of damages in certain cases.

2. If the Company, by its notice of expropriation or some subsequent notice prior to the arbitrators' award, 20 specifies its intention to take only such easement or undertakes to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of *The 25 Railway Act* in view of such specified intention or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified intention or undertaking of the Company, may be enforced by the Board of Railway Com- 30 missioners for Canada.

R. S., c. 37.

6. *The Railway Act*, save as varied and extended by this Act, shall only apply to the works authorized by section 2 of this Act.

Agreements with other companies.

7. Subject to the provisions of sections 361, 362 and 35 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with the Canadian Northern Railway Company, and with any railway company authorized to construct or operate lines of railway upon the Island of Mon- 40 treal, and with the Harbour Commissioners of Montreal, and with the Intercolonial Railway.

Time for construction limited.

8. The Company shall commence the construction of its tunnel, or the said lines of railway, within two years after the

passing of this Act, and if such commencement is not so made or if the said tunnel or lines of railway are not completed within five years after the passing of this Act, the powers of construction granted to the Company by Parliament under section 2 of this Act shall cease and be null and void as respects so much of the said works as then remains uncompleted.

39.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 39.

An Act respecting the Canadian North-
ern Montreal Tunnel and Terminal
Company, Limited.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. GUILBAULT.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 40.

An Act respecting the Canadian Northern Ontario
Railway Company.

WHEREAS a petition has been presented praying that it ^{Preamble.}
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
5 and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Northern* ^{Short title.}
Ontario Railway Act, 1912.

2. The Canadian Northern Ontario Railway Company, ^{Lines of}
hereinafter called "the Company," may complete and put ^{railway}
10 in operation the following lines of railway:— ^{authorized.}

(a) The lines of railway authorized by section 3 of chapter
110 of the statutes of 1905, namely:

(i) from a point on the Company's line at or near Toronto,
thence easterly to Ottawa;

15 (ii) from a point at or near the French River, thence
easterly, passing through or near Ottawa and
Hawkesbury, to Montreal, branching on Montreal
Island to enter Montreal from both the northeast
and southwest;

20 (iii) from a point on the Company's line at or near Sud-
bury, thence westerly and south of Lake Nipigon to
a point on the Canadian Northern Railway at or
near Kashaboiwe west of Port Arthur, passing
through or near Port Arthur, or with a branch to
25 Port Arthur:

(b) The uncompleted portion of the line of railway
authorized by section 3 of chapter 50 of the statutes of 1895,
as amended by section 3 of chapter 114 of the statutes of
1906, namely, from Parry Sound in a northerly direction to
30 a point at or near the mouth of Moose River on James Bay.

3. Subsection 1, and paragraph (b) of subsection 2, of ^{Repeal.}
section 7 of chapter 72 of the statutes of 1907 are repealed.

Time for
construction
of railways
limited.

2. If the said lines of railway are not completed and put in operation within five years after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

5

Lines of
railway
authorized.

4. The Company may construct and operate the following lines of railway:—

(a) From a point on its authorized line between Port Arthur and Sudbury, near the head of Long Lake, thence in a generally northerly and westerly direction to a junction with the National Transcontinental Railway east of Lake Nipigon;

(b) From a point on its authorized line between Ottawa and North Bay in or near the township of Chisholm, thence in a generally southeasterly direction to a point on the Central Ontario Railway at or between Bancroft and Whitney.

Issue of
securities.

5. The limit to the amount of the securities which the Company may issue in respect of the lines of railway hereby authorized shall be the limit fixed by section 3 of chapter 57 of the statutes of 1911, namely, forty thousand dollars per mile, and such securities may be issued only in proportion to the length of such line constructed or under contract to be constructed.

1910, c. 79
amended.

6. Section 2 of chapter 79 of the statutes of 1910 is amended by adding after the word "Company" in the eleventh line of the said section the words "the Canadian Northern Montreal Tunnel and Terminal Company, Limited, and the Toronto Eastern Railway Company."

THE HOUSE OF COMMONS
OF CANADA.

BILL 40.

An Act respecting the Canadian Northern Ontario Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. CURRIE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting the Canadian Northern Quebec
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: There-
fore His Majesty, by and with the advice and consent of
5 the Senate and House of Commons of Canada, enacts
as follows:—

Preamble.

1907, c. 73;
1908, c. 94;
1909, c. 64;
1911, c. 58.

1. This Act may be cited as *The Canadian Northern
Quebec Railway Act, 1912.*

Short title.

2. The Canadian Northern Quebec Railway Company,
10 hereinafter called "the Company," may construct and
complete the lines, branches and extensions authorized
by paragraphs (c), (e) and (f) of section 3 of chapter 73
of the statutes of 1907, namely:—

Lines of
railway
authorized.

(a) The line and branch of the Quebec, New Brunswick
15 and Nova Scotia Railway Company as described in section
7 of chapter 178 of the statutes of 1903;

(b) Those portions of the line of the Great Northern Rail-
way of Canada described in section 1 of chapter 104 of
the statutes of 1906;

20 (c) The lines, branches and extensions of the Chateau-
guay and Northern Railway Company as described in
section 2 of chapter 75 of the statutes of 1899 of the pro-
vince of Quebec;

All of the said lines being partly constructed.

25 3. Unless the Company completes and puts in opera-
tion within five years after the passing of this Act the said
lines, branches and extensions of railway, the powers
conferred on the Company by Parliament shall cease
with respect to so much of the said lines as then remains
30 uncompleted.

Time for
construction
limited.

Agreement with other companies.

4. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with the Canadian Northern Montreal Tunnel and Terminal Company, Limited.

5

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

THE HOUSE OF COMMONS OF CANADA.

BILL 41.

An Act respecting the Canadian Northern Quebec Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. GUILBAULT.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 42.

An Act respecting the Canadian Northern Ontario Railway Company and the Carillon and Grenville 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. The Canadian Northern Ontario Railway Company, hereinafter called "the Company," is hereby authorized to purchase and the Carillon and Grenville Railway Company is hereby authorized to sell to the Company those portions of the right of way and other properties of the Carillon and Grenville Railway Company mentioned and described and not specifically reserved in the notarial deed of sale thereof set forth in the Schedule to this Act.

Purchase and sale authorized.

2. The said notarial deed, and the execution thereof, are hereby validated and confirmed, and shall be taken to be effective to transfer and convey the properties therein described and not reserved as and from the date thereof.

Confirmation of notarial deed.

SCHEDULE.

Before Mtre. Robert Bennett Hutcheson, the undersigned Notary Public for the province of Quebec, residing in the city of Westmount and practising in the city of Montreal, appeared: The Carillon and Grenville Railway Company, a body corporate duly incorporated, herein acting and represented by the Honourable William Owens of the said city of Westmount, senator, the president and Albert E. Blagg the secretary-treasurer thereof, duly authorized to the effect hereof by resolutions passed at meetings of the shareholders and directors of the said

company held on this day duly certified copies of which resolutions remain hereunto annexed signed for identification by the said notary. Which said company acting as aforesaid hath by these presents sold with legal warranty unto The Canadian Northern Ontario Railway Company, a body corporate duly incorporated herein acting and represented by Gerard Ruel, of the city of Toronto, in the province of Ontario, chief solicitor, duly authorized to the effect hereof by resolution passed at a meeting of the directors of the said company held on the twenty-fourth day of July inst., a duly certified copy of which resolution remains hereunto annexed signed for identification by the said notary, said company acting and represented as aforesaid hereto present and accepting, the following immovable property, namely:—

Description.

That certain line of railway, as constructed, of the Carillon and Grenville Railway Company, extending from the wharf at Grenville to the crossing of the highway at Carillon, together with running rights over the rails to the wharf property at Carillon, also all and singular the tracks, sidings, roadbed, right of way, station grounds, station houses, freight houses, sheds, rolling stock and equipment and works of every description, and all other property real and personal, owned, acquired, or used in any manner in connection with the portion of the line of railway above described.

The vendor reserves all franchises and powers of the company under its charter and also all land-grants and other subsidies earned or which may hereafter be earned by the said company, vendor.

Possession.

The purchaser will have the absolute ownership of said property as and from the date hereof and will take possession thereof forthwith.

Vendor's Declarations.

The vendor declared and covenanted:

That said property is free and clear of all assessments and rates general and special for the past year and of all encumbrances.

Conditions.

The purchaser assumes to the exoneration of the vendor all assessments and rates general and special other than those above mentioned.

Price.

This sale is thus made for the price or sum of one dollar, (\$1.00) and other good and valuable consideration which the vendor acknowledged to have received from the purchaser previous to the execution hereof, whereof quit. Whereof acte.

Thus done and passed at the said city of Montreal on the twenty-fifth day of July, nineteen hundred and eleven and remains of record in the office of the undersigned notary under the number eleven thousand two hundred and eighty-three.

And after due reading hereof the parties signed in the presence of the said notary.

THE CARILLON AND GRENVILLE RAILWAY CO.
by W. Owens, President.
" A. E. Blagg, secy-treas.

THE CANADIAN NORTHERN ONTARIO RY. CO.
by Gerard Ruel, chief solicitor.

R. B. Hutcheson, N.P.

THE HOUSE OF COMMONS
OF CANADA.

BILL 42.

An Act respecting the Canadian Northern Ontario Railway Company and the Carillon and Grenville Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. ACHIM.

THE HOUSE OF COMMONS OF CANADA.

BILL 43.

An Act respecting the Cap de la Madeleine Railway Company.

WHEREAS the Cap de la Madeleine Railway Company, hereinafter called "the Company," has by its petition represented that it was incorporated by chapter 63 of the statutes of 1895 (First Session) of Quebec, 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:—

10 **1.** The railway which the Company is authorized to construct, by chapter 63 of the statutes of 1895 (First Session) of Quebec, is declared to be a work for the general advantage of Canada.

15 **2.** Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into an agreement with the Canadian Pacific Railway Company for any of the purposes specified in the said section 361, and may lease its undertaking to the said Canadian Pacific Railway Company, but the approval of the shareholders of the said Canadian Pacific Railway Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

25 **3.** The head office of the Company shall be at the city of Montreal.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 43.

An Act respecting the Cap de la
Madeleine Railway Company.

First reading, January, 10, 1912.

(PRIVATE BILL.)

MR. PAQUET.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 44.

An Act respecting the Central 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. The Central Railway Company of Canada, hereinafter called "the Company," may construct the following branch lines of railway:—

Lines of railway authorized.

(a) From a point in the county of Laval to St. Jerome
10 in the county of Terrebonne;

(b) From a point on its main line in the county of Two
Mountains to St. Scholastique in the same county;

(c) From a point on its main line in the county of Hoche-
laga, passing through the counties of Chambly, Vercheres
15 and St. Hyacinthe, to a point on the Intercolonial Railway
at or near St. Rosalie, in the county of Bagot;

(d) From a point on the last named branch in the county
of Chambly, passing through the counties of Laprairie and
Napierville, to a point on the International boundary in the
20 county of St. Johns.

2. If the said branch lines of railway are not commenced
within two years, or are not completed and put in operation
within five years, after the passing of this Act, the powers
granted for the construction thereof shall cease and deter-
mine with respect to so much thereof as then remains
25 uncompleted.

Time for construction limited.

3. The limit to the amount of the securities which the
Company may issue and secure under sections 136 to 146,
both inclusive, of *The Railway Act* with respect to the lines
30 of railway which the Company is now or has been heretofore
authorized to construct shall be thirty thousand dollars

Issue of securities.

per mile, and such securities may be issued only in proportion to the length of the said lines of railway constructed or under contract to be constructed: Provided that no powers granted under this section shall be exercised so as to impair or prejudice any vested rights of the holders of the Company's securities outstanding at the date of the passing of this Act. 5

1905, c. 79
amended.

4. Section 3 of chapter 79 of the statutes of 1905 is amended by adding at the end of the said section the words—
“the Pontiac Central Railway Company, the Western Central Railway Company, the Quebec, Montreal and Southern Railway Company, the Montreal and Southern Counties Railway Company, the Joliette and Lake Manuan Colonization Railway Company and the Imperial Traction Company.” 10 15

Agreements
in Schedule A
confirmed.

5. The transfers and agreements made and entered into between the Company and the Ottawa River Railway Company, the Central Counties Railway Company, the Great Eastern Railway Company, the Ottawa Valley Railway Company, the Carillon and Grenville Railway Company and the Ottawa River Navigation Company, set out in Schedule A to this Act, are hereby ratified and confirmed and declared to be valid and binding on the parties thereto; and the said companies are hereby amalgamated with the Company and shall form one company under the name of “The Central Railway Company of Canada,” hereinafter called “the new Company” and all the railways and undertakings and all other the powers, rights, privileges, franchises, assets, effects and properties, real, personal and mixed, belonging to or possessed by or vested in the said companies shall hereafter be merged in and shall form part of the undertaking of the new Company. 20 25 30

Time for
construction
of railways
extended.

6. The new Company may complete the railways and undertakings of the Company and of the different companies amalgamated by this Act as defined and set out in the Acts incorporating the said companies, and the amendments thereto, mentioned in Schedule B to this Act, within five years after the passing of this Act, and if the said railways and undertakings are not completed and put in operation within the said period, the powers granted to the Company and to the new Company by Parliament shall cease and be null and void with respect to so much of the said railways as then remains uncompleted. 35 40

Repeal.

7. Section 2 of chapter 76 of the statutes of 1907, An Act respecting the Central Counties Railway Company, is 45 repealed.

SCHEDULE A.

This indenture made the seventeenth day of October, 1911, between the Ottawa River Railway Company, incorporated by an Act of the Legislature of Ontario, hereinafter called "the Ottawa Company," of the First Part and the Central Railway Company of Canada incorporated by an Act of the Parliament of Canada, hereinafter called "the Central Company," of the Second Part;

Whereas the Ottawa Company, under its incorporating Act 4 Edward VII, chapter 85, as amended by 5 Edward VII, chapter 103, of the statutes of Ontario, has power to enter into an agreement with the Central Company for the sale of the whole or any portion of the railway therein authorized, and the rights, powers, privileges and franchises thereof.

And whereas the Central Company by its incorporating Act 3 Edward VII, chapter 172, as amended by 4 Edward VII, chapter 112, and 5 Edward VII, chapter 79, is empowered to acquire from the Ottawa Company the railway and undertaking of the said Company in whole or in part and the rights, powers, privileges and franchises thereof.

And whereas by agreement made and entered into on the 9th day of January, 1906, which agreement was authorized by resolutions duly passed by each of the said Companies at meetings of shareholders duly called and held on the 4th day of September, 1905, and the 9th day of January, 1906, respectively, it was agreed that the Ottawa Company should sell and the Central Company should buy all the railway and undertaking of the Ottawa Company and the rights, powers, privileges and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of the Ottawa Company for the consideration hereinafter mentioned.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of effectuating the agreement above recited and in consideration of two thousand fully paid up shares in the capital stock of the Central Railway Company of Canada, which shares have been allotted and delivered to a trustee duly appointed by the Ottawa Company, (the receipt of which two thousand shares the Ottawa Company hereby acknowledge), and in further consideration of the covenant by the Central Company hereinafter contained, the Ottawa Company hereby sells, grants, assigns, transfers and sets over unto the Central Company, its successors and assigns forever, all the railway and undertaking of the Ottawa Company and the rights, powers, privileges, property and franchises thereof, together with all other assets, rights, credits, effects and property, real,

personal and mixed of whatever kind and wheresoever situated, belonging to the Ottawa Company or to which it is now or may hereafter become entitled.

To have and to hold unto the Central Railway Company of Canada its successors and assigns to and for their sole and only use forever. And the Ottawa Company covenants with the Central Company to execute and deliver, at the expense of the Central Company, all such further and other separate and formal assurances, assignments, transfers and conveyances for registration purposes, or otherwise as may be required to vest in the Central Company their successors and assigns the full, legal, equitable and beneficial title and interest to and in the said railway and undertaking of the Ottawa Company, and the rights, powers, privileges and franchises thereof together with all other assets, rights, credits, effects and property and each and every part thereof.

And in consideration of the foregoing, the Central Company covenants with the Ottawa Company its successors and assigns, that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the Ottawa Company is now liable, or which it should pay, discharge, carry out or perform, and the Central Company shall and will indemnify and save harmless the Ottawa Company in respect thereof.

Witness the corporate seals of the respective Companies attested by their proper officers respectively in that behalf the day and year first above written.

OTTAWA RIVER RAILWAY COMPANY.

W. Owens,
President.

(SEAL.)

W. D. Hogg,
Secretary.

THE CENTRAL RAILWAY COMPANY OF CANADA.

C. N. Armstrong,
Vice-President.

(SEAL.)

J. D. Wells,
Secretary.

This indenture made the seventeenth day of October, 1911, between The Central Counties Railway Company, hereinafter called the "vendor," of the First Part; and The Central Railway Company of Canada, hereinafter called the "purchaser," of the Second Part;

Whereas the purchaser by its incorporating Act 3 Edward

VII, chapter 172, as amended by 4 Edward VII, chapter 112, and 5 Edward VII, chapter 79, is empowered to acquire from the vendor, the railway and undertaking of the said vendor in whole or in part and the rights, powers, privileges and franchises thereof.

And whereas by agreement made the 7th day of July, 1910, between the vendor and purchaser, the vendor agreed to sell and the purchaser agreed to buy the undertaking and railway of the said vendor, and the rights, powers, privileges and franchises thereof.

And whereas by resolutions of the said Companies parties to this indenture, passed at special general meetings of shareholders of the said Companies duly called and held, the sale and purchase of the Central Counties Railway being the railway of the vendor and all the rights, powers, privileges, and franchises thereof together with all other assets, rights, credits, effects and property, real, personal and mixed of the vendor for the consideration therein mentioned, was duly ratified and confirmed by two-thirds of the votes of the shareholders of each of the said Companies present at such meetings in person or represented by proxy.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of effectuating and carrying out the agreement above recited and in consideration of one dollar of lawful money of Canada now paid by the purchaser to the vendor and of other good and valuable considerations, (the receipt whereof the vendor doth hereby acknowledge), and in further consideration of the covenant by the purchaser hereinafter contained, the vendor hereby sells, grants assigns, transfers and sets over unto the purchaser, its successors and assigns, all the railway and undertaking of the vendor and the rights, powers, privileges, property and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated belonging to the vendor or to which it is now or may hereafter be entitled, and also 4,960 shares of the capital stock of the vendor.

To have and to hold unto the purchaser its successors and assigns to and for its sole and only use forever.

And the vendor covenants with the purchaser to execute and deliver at the expense of the purchaser all such further and other separate and formal assurances, assignments, transfers and covenants for registration purposes or otherwise as may be required to vest in the purchaser its successors and assigns, the full, legal, equitable and beneficial titles and interest in the said railway and undertaking of the vendor, and the rights, powers, privileges and franchises thereof together with all other assets, rights, credits, effects and property and each and every part thereof.

And in consideration of the foregoing, the purchaser covenants with the vendor, its successors and assigns, that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the vendor is now liable or which it should pay, discharge, carry out or perform, and the purchaser shall and will indemnify and save harmless the vendor in respect thereof.

Witness the corporate seals of the respective Companies by their proper officers respectively in that behalf, the day and year first above written.

THE CENTRAL COUNTIES RAILWAY COMPANY.

R. Wilson Smith,
President.

(SEAL.)

C. Ross Dobbin,
Secretary.

THE CENTRAL RAILWAY COMPANY OF CANADA.

W. Owens,
Vice-President.

(SEAL.)

J. D. Wells,
Secretary.

This indenture made the eighteenth day of October, 1911, between the Ottawa Valley Railway Company, hereinafter called the "vendor," of the First Part; and the Central Railway Company of Canada hereinafter called the "purchaser," of the Second Part;

Whereas the purchaser by its incorporating Act, 3 Edward VII, chapter 172, as amended by 4 Edward VII, chapter 112, and 5 Edward VII, chapter 79, is empowered to acquire from the vendor the railway and undertaking of the said vendor in whole or in part and the rights, powers, privileges and franchises thereof.

And whereas the Ottawa Valley Railway Company incorporated by Act of the Parliament of Canada 55 and 56 Victoria, chapter 54. And whereas the vendor agreed to sell and the purchaser agreed to buy the undertaking and railway of the said vendor, and the rights, powers, privileges and franchises thereof.

And whereas by resolutions of the said companies, parties to this indenture, passed at special general meetings of shareholders of the said companies duly called and held, the sale and purchase of the Ottawa Valley Railway being the railway of the vendor and the rights, powers, privileges and franchises thereof, together with all other assets,

rights, credits, effects and property, real, personal and mixed of the vendor for the consideration therein mentioned, was duly ratified and confirmed by two-thirds of the votes of the shareholders of each of the said companies present at such meetings in person or represented by proxy.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of affectuating and carrying out the agreement above recited and in consideration of one dollar of lawful money of Canada now paid by the purchaser to the vendor and of other good and valuable considerations, (the receipt whereof the vendor doth hereby acknowledge), and in further consideration of the covenant by the purchaser hereinafter contained, the vendor hereby sells, grants, assigns, transfers and sets over unto the purchaser, its successors and assigns, all the railway and undertaking of the vendor and the rights, powers, privileges, property and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated belonging to the vendor or to which it is now or may hereafter be entitled.

To have and to hold unto the purchaser, its successors and assigns to and for its sole and only use forever.

And the vendor covenants with the purchaser to execute and deliver at the expense of the purchaser all such further and other separate and formal assurances, assignments, transfers and covenants for registration purposes or otherwise as may be required to vest in the purchaser, its successors and assigns, the full, legal, equitable and beneficial title and interest in the said railway and undertaking of the vendor, and the rights, powers, privileges and franchises thereof together with all other assets, rights, credits, effects and property and each and every part thereof.

And in consideration of the foregoing, the purchaser covenants with the vendor, its successors and assigns that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the vendor is now liable or which it should pay, discharge, carry out or perform, and the purchaser shall and will indemnify and save harmless the vendor in respect thereof.

Witness the corporate seals of the respective companies by their proper officers respectively in that behalf, the day and year first above written.

OTTAWA VALLEY RAILWAY COMPANY.

C. N. Armstrong,
President. (SEAL.)
A. Langlois,
Secretary.

THE CENTRAL RAILWAY COMPANY OF CANADA.

W. Owens,
Vice-President.
J. D. Wells, (SEAL.)
Secretary.

This indenture made the eighteenth day of October, 1911, between the Carillon and Grenville Railway Company, hereinafter called the "Carillon Company," of the First Part; and the Central Railway Company of Canada, hereinafter called the "Central Company," of the Second Part;

Whereas the Central Company by its incorporating Act, 3 Edward VII, chapter 172, as amended by 4 Edward VII, chapter 112, and 5 Edward VII, chapter 79, is empowered to acquire from the Carillon Company the railway and undertaking of the said company in whole or in part and the rights, powers, privileges and franchises thereof.

And whereas the companies, parties to this indenture have entered into an agreement whereby the Carillon Company shall sell its railway and the rights, powers, privileges, land grants and franchises thereof, to the Central Company and the Central Company shall purchase the said railway and all the said rights, powers, privileges, land grants and franchises thereof.

And whereas by resolutions duly passed at meetings of the shareholders of both companies, parties to this indenture, which meetings were duly called and held, the sale and purchase of the Carillon and Grenville Railway being the railway of the Carillon Company, and all the rights, powers, privileges, land grants and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of the Carillon Company should be transferred to the Central Company for the consideration hereinafter mentioned was duly confirmed and ratified by two-thirds of the votes of the shareholders of each of the said companies present at such meetings in person or represented by proxy.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of effectuating and carrying out the agreement above recited, and in consideration of the

sum of one dollar of lawful money of Canada and other good and valuable considerations, (the receipt whereof the Carillon Company doth hereby acknowledge), and in further consideration of the covenant by the Central Company hereinafter contained, the Carillon Company hereby sells, grants, assigns, transfers and sets over unto the Central Company, its successors and assigns, all the railway and undertaking of the Carillon Company and the rights, powers, privileges, property, land grants and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated, belonging to the Carillon Company or to which it is or may hereafter become entitled.

To have and to hold unto the Central Railway Company of Canada, its successors and assigns to and for their sole and only use forever.

And the Carillon Company covenants with the Central Company to execute and deliver at the expense of the Central Company all such further and other separate and formal assurances, assignments, transfers and covenants for registration purposes or otherwise as may be required to vest in the Central Company, their successors and assigns the full, legal, equitable and beneficial title and interest in the said railway and undertaking of the Carillon Company and the rights, powers, privileges, property, land grants and franchises thereof, together with all other assets, rights, credits, effects and property and each and every part thereof.

And in consideration of the foregoing the Central Company covenants with the Carillon Company, its successors and assigns, that they shall and will pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the Carillon Company is now liable or which should pay, discharge, carry out or perform, and the Central Company shall and will indemnify and save harmless the Carillon Company in respect thereof.

Witness the corporate seals of the respective Companies by their proper officers respectively, in that behalf, the day and year first above written.

CARILLON AND GRENVILLE RAILWAY COMPANY,

W. D. Hogg,
President [SEAL]

A. E. Blagg,
Secretary

THE CENTRAL RAILWAY COMPANY OF CANADA,

C. N. Armstrong,
Vice President [SEAL]

J. W. Wells,
Secretary

This indenture made the seventh day of September, 1911, between the Ottawa River Navigation Company, hereinafter called the "vendor," of the First Part; and the Central Railway Company of Canada, hereinafter called the "purchaser," of the Second Part;

Whereas the vendor has agreed to sell and the purchaser has agreed to buy the undertaking of the said vendor and all the rights, powers, privileges, properties and franchises thereof, including the steamboats, wharves, docks and all other assets of the vendor.

And whereas by resolutions of the said companies parties to this indenture, passed at general meetings of shareholders of the said Companies duly called and held, the sale and purchase of the undertaking of the vendor and the rights, powers, privileges, properties and franchises thereof together with all steamboats, wharves, docks and other assets, rights, credits and effects for the consideration hereinafter mentioned, was duly ratified and confirmed by two-thirds of the votes of the shareholders of each of the said Companies present at such meetings in person or represented by proxy.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of effectuating and carrying out the agreement above recited and in consideration of one dollar of lawful money of Canada now paid by the purchaser to the vendor and of other good and valuable considerations, (the receipt whereof the vendor doth hereby acknowledge), and in further consideration of the covenant by the purchaser herein contained the vendor hereby sells, grants, assigns, transfers and sets over unto the purchaser, its successors and assigns, all the undertaking of the vendor and the rights, powers, privileges, properties and franchises thereof, together with all steamboats, wharves, docks and all other assets, rights, credits, effects and properties, real, personal and mixed of whatever kind and wheresoever situated belonging to the vendor or to which it is now or may hereafter be entitled.

To have and to hold unto the purchaser, its successors and assigns to and for its sole and only use forever.

And the vendor covenants with the purchaser to execute and deliver at the expense of the purchaser all such further and other separate and formal assurances, assignments, transfers and covenants for registration purposes or otherwise as may be required to vest in the purchaser, its successors and assigns, the full, legal, equitable and beneficial title and interest in the said undertaking of the vendor, and the rights, powers, privileges and franchises thereof together with all steamboats, wharves, docks and all other

assets, rights, credits, effects, and properties of the vendor and each and every part thereof.

And in consideration of the foregoing, the purchaser covenants with the vendor, its successors and assigns that it shall and will pay, discharge, carry out and perform all debts, liabilities, obligations, contracts and duties for and in respect of which the vendor is now liable or which it should pay, discharge, carry out or perform, and the purchaser shall and will indemnify and save harmless the vendor in respect thereof.

Witness the corporate seals of the respective Companies by their proper officers respectively in that behalf, the day and year first above written.

THE OTTAWA RIVER NAVIGATION COMPANY,

W. Owens,
President.

[SEAL]

A. E. Blagg,
Secretary.

THE CENTRAL RAILWAY COMPANY OF CANADA,

C. N. Armstrong,
Vice President.

[SEAL]

J. D. Wells,
Secretary.

This indenture made the sixth day of November, 1911, between The Great Eastern Railway Company, hereinafter called the "vendor," of the First Part; and The Central Railway Company of Canada, hereinafter called the "purchaser," of the Second Part:

Whereas the Great Eastern Railway Company the vendor was incorporated by Act of the Parliament of Canada, 45 Vic., Cap. 71, amended by 54 and 55 Vic., Cap. 98, and the Central Railway Company of Canada, the purchaser was incorporated by Act of the said Parliament, 3 Edw. VII, Cap. 172, amended by 4 Edw. VII, Cap. 112 and 5 Edw. VII, Cap. 79.

And whereas the vendor has agreed to sell and the purchaser has agreed to buy the rights, franchises, powers and privileges and all other assets of the vendor.

And whereas by resolutions of the said Companies parties to this indenture passed at general meetings of shareholders of the said Companies duly called and held, the sale and purchase of the rights, powers, privileges,

properties and franchises together with all plans, profiles and estimates and all books and documents belonging to the vendor was duly ratified and confirmed by two-thirds of the votes of the shareholders of each of the said Companies present at such meetings in person or represented by proxy.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of effectuating and carrying out the agreements above recited and in consideration of the sum of \$10,000.00 in fully paid shares of the Central Railway Company of Canada and of other good and valuable considerations (the receipt whereof the vendor doth hereby acknowledge) the vendor hereby sells, grants, assigns, transfers and sets over unto the purchaser, its successors and assigns all the rights, powers, privileges, properties and franchises together with all plans, profiles and estimates and all books and documents of the vendor and all other assets, rights, credits, effects and properties, real, personal and mixed of whatever kind and where-soever situated belonging to the vendor or to which it is now or may hereafter be entitled.

To have and to hold unto the purchaser its successors and assigns to and for its sole and only use for ever.

And the vendor covenants with the purchaser to execute and deliver at the expense of the purchaser all such further and other separate and formal assurances, assignments, transfers and covenants for registration purposes or otherwise as may be required to vest in the purchaser, its successors and assigns, the full, legal, equitable and beneficial title and interest in the said rights, powers, privileges, properties and franchises together with all plans, profiles and estimates and all books and documents connected with the same and all other assets, rights, credits, effects and properties of the vendor and each and every part thereof.

Witness the corporate seals of the respective Companies by their proper officers respectively in that behalf the day and year first above written.

THE GREAT EASTERN RAILWAY COMPANY.

L. A. Globensky,
President.

[SEAL.]

A. Langlois,
Secretary.

THE CENTRAL RAILWAY COMPANY OF CANADA.

W. Owens,
Vice-President.

J. D. Wells, [SEAL.]
Secretary.

SCHEDULE B.

Name of Company.	Statutes of Ontario.
The Ottawa River Railway Company.....	1904 (4 Edw. 7) Cap. 85 1905 (5 Edw. 7) Cap. 103. 1907 (7 Edw. 7) Cap. 104.
	Statutes of Canada.
The Central Counties Railway company.....	1887 (50 & 51 Vict.) Cap. 82 1889 (52 Vict.) Cap. 80. 1891 (54 & 55) Vict. Cap. 89. 1897 (60 & 61 Vict.) Cap. 40. 1902 (2 Edw. 7) Cap. 53. 1905 (4 & 5 Edw. 7) Cap. 78. 1907 (6 & 7 Edw. 7) Cap. 76.
The Great Eastern Railway Company.....	1882 (45 Vict.) Cap. 71. 1891 (54 & 55 Vict.) Cap. 98.
The Ottawa Valley Railway Company.....	1892 (55 & 56 Vict.) Cap. 54.
The Carillon and Grenville Railway Company.....	1859 (22 Vict.) Cap. 96. 1860 (23 Vict.) Cap. 103. 1861 (24 Vict.) Cap. 87.
The Ottawa River Navigation Company.....	1864 (26 Vict.) Cap. 94.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 44.

An Act respecting the Central Railway
Company of Canada.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. BAKER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 45.

An Act respecting *La Compagnie du Chemin de fer de Colonisation du Nord*.

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.

1899, c. 62;
1902, c. 55;
1907, c. 78.

- 1.** *La Compagnie du Chemin de fer de Colonisation du Nord* may continue the construction of its railway from a point at or near Labelle, thence in a westerly direction to the village of Rapide de L'Orignal (now called Mont Laurier), thence in a western direction to a point at or near Lake Temiscamingue, in the county of Pontiac, authorized by section 7 of chapter 62 of the statutes of 1899, and may complete the said railway and put it in operation within five years after the passing of this Act, and if the said railway is not completed and put in operation within the said period the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.
- 2.** Section 6 of chapter 55 of the statutes of 1902, and chapter 78 of the statutes of 1907, are repealed.

Extension
of time for
construction.

Repeal.

THE HOUSE OF COMMONS
OF CANADA.

BILL 45.

An Act respecting *La Compagnie du
Chemin de fer de Colonisation du Nord.*

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. ACHIM.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 46.

An Act respecting the Dominion Trust Company, and to change its name to "British Empire Trust Company."

5 WHEREAS the Dominion Trust Company has represented that it was incorporated by chapter 103 of the statutes of Quebec of 1903 under the name of "The Empire Trust Company," and that by chapter 87 of the statutes of Canada of 1906 its name was changed to "The Dominion Trust Company;" and whereas the said company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada,
10 enacts as follows:—

1. The shareholders of the company mentioned in the preamble (hereinafter called "the old Company"), together with such persons as become shareholders in the company hereby incorporated, are incorporated under the name of
15 "British Empire Trust Company," hereinafter called "the new Company."

2. The new Company shall have and possess all the powers conferred upon the old Company by the said chapter 103 of the statutes of Quebec of 1903, and may exercise
20 the said powers throughout Canada and elsewhere.

3. The new Company shall have the rights and be liable for all the obligations of the old Company, and all property, real and personal, of the old Company is hereby vested in the new Company.

4. The new Company shall not carry on the business of the guaranteeing of titles or any other form of insurance coming within the provisions of *The Insurance Act* until it has obtained a license for such purpose under the said Act.

THE HOUSE OF COMMONS
OF CANADA.

BILL 46.

An Act respecting the Dominion Trust
Company, and to change its name to
"British Empire Trust Company."

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. CROMWELL.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 47.

An Act respecting the Hamilton, Waterloo and Guelph 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.
1906, c. 106;
1908, c. 118;
1910, c. 108.

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

Time for construction of railway extended.

2. Section 4 of chapter 106 of the statutes of 1906 and section 1 of chapter 108 of the statutes of 1910 are repealed, and the following is enacted as section 4 of chapter 106 of the statutes of 1906:—

1906, c. 106 amended.

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

Capital stock.

3. Section 6 of chapter 108 of the statutes of 1910 is repealed.

1910, c. 108 amended.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 47.

An Act respecting the Hamilton,
Waterloo and Guelph Railway
Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. BARKER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 48.

An Act respecting the Kootenay and Alberta 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.
1909, c. 96.

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

Time for
construction
of railway
extended.

THE HOUSE OF COMMONS
OF CANADA.

BILL 48.

An Act respecting the Kootenay and
Alberta Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. CODERRE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 49.

An Act respecting the Montreal Central Terminal 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.
1890, c. 93;
1891, c. 106;
1894, c. 63;
1897, c. 67;
1905, c. 127;
1909, c. 109.

1. The Montreal Central Terminal Company may complete its bridge or tunnel within five years after the passing of this Act, and if the said bridge or tunnel is not completed within five years after the passing of this Act, the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the said company's works as then remains uncompleted.

Time for construction of bridge and tunnel extended.

THE HOUSE OF COMMONS
OF CANADA.

BILL 49.

An Act respecting the Montreal
Central Terminal Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. AMES.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 50.

An Act respecting the Ontario and Ottawa 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. 139.

1. This Act may be cited as *The Ontario and Ottawa Railway Act, 1912*.

Short title.

2. The Ontario and Ottawa Railway Company, hereinafter called "the Company," may commence and construct the railway authorized by section 7 of chapter 139 of the statutes of 1910, namely, from a point on the authorized line of the Canadian Northern Ontario Railway at or near Lake Couchiching, thence in a generally easterly direction to a point in the township of Snowdon in the county of Haliburton, and from a point in the township of Herschell, in the county of Hastings, thence in a generally easterly direction to or near Renfrew, thence crossing the Ottawa river and continuing in a generally southeasterly direction to a point at or near the city of Hull, or re-crossing the Ottawa river to a point at or near the city of Ottawa.

Line of railway authorized.

3. The Company may also construct and operate a railway extending from a point on its authorized line, as above set forth, at or near Lake Couchiching, thence in a generally westerly direction to a point on the Georgian Bay.

Branch line authorized

4. If the said railways are not commenced within two years or are not completed and put in operation within five years after the passing of this Act, the powers granted

Time for construction limited.

for the construction thereof shall cease and determine with respect to so much of the said railways as then remains uncompleted.

Issue of securities.

1910, c. 139.

5. The limit to the amount of the securities which the Company may issue in respect of its railways as above set forth shall be the limit fixed by section 10 of chapter 139 of the statutes of 1910, namely, thirty-five thousand dollars per mile, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

10

THE HOUSE OF COMMONS
OF CANADA.

BILL 50

An Act respecting the Ontario and
Ottawa Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. CURRIE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 51.

An Act respecting the Pacific and Atlantic 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.

1906, c. 138;
1908, c. 142;
1910, c. 145.

1. The Pacific and Atlantic Railway Company may commence the construction of its railway referred to in section 1 of chapter 138 of the statutes of 1906 and in section 5 of chapter 142 of the statutes of 1908, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

2. Chapter 145 of the statutes of 1910 is repealed.

Repeal.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 51.

An Act respecting the Pacific and
Atlantic Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. BOYCE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 52.

An Act to incorporate the Pacific Trans-Canada and Hudson Bay Railway Company.

WHEREAS a petition has been presented praying that Preamble,
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
5 the Senate and House of Commons of Canada, enacts as follows:—

1. George Wilmot Swaland, banker, Maurice Kimpe, Incorpora-
civil engineer, Patrick Owen Dwyer, financial agent, tion.
James Smith, contractor, all of the city of Edmonton, in
10 the province of Alberta, and William Johnston, barrister,
of the city of Ottawa, in the province of Ontario, together
with such persons as become shareholders in the company,
are hereby incorporated under the name of "The Pacific, Corporate
Trans-Canada and Hudson Bay Railway Company," name.
15 hereinafter called "the Company."

2. The persons named in section 1 of this Act are con- Provisional
stituted provisional directors of the Company. directors.

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

4. The Company, if previously authorized by a resolution Preference
passed by the ordinary shareholders at any annual meeting stock.
or at any special general meeting duly called for that
purpose, at which meeting shareholders representing at
25 least two-thirds 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
30 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.

5

Head office.

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

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 line of railway, of the gauge of four feet eight and one-half inches, from a point in the province of Alberta, at or near the city of Edmonton, thence northerly by the most feasible route to, at, or near Athabasca Landing; thence north-westerly north east of Lesser Slave Lake to Wabiska or Loon River; thence northerly to a point at or near the junction of the Loon River with the Peace River; or at a point near the junction of the Red River with the Peace River, below Fort Vermillion on the Peace River; thence northerly to Fort Smith on the Slave River; from a point on the said railway near its crossing of the Wabiska River, or the Loon River, easterly to Fort McMurray on the Athabasca River; thence easterly along the Clearwater River and Churchill River through the province of Saskatchewan to Fort Churchill, or Port Nelson, on the Hudson Bay; from a point on said railway near its crossing of the Wabiska River, or Loon River, westerly to Peace River crossing on the Peace River; thence westerly on the north side of the river through Laurier Pass to Prince Rupert, or Portland Canal, on the Pacific Coast, in the province of British Columbia.

Running powers to other companies through pass crossing Rocky Mountains.

2. If in the opinion of the Board of Railway commissioners for Canada, owing to the configuration of the country through the pass by which the said railway crosses the Rocky Mountains, it is impracticable or unduly expensive to build more than one line of railway through the said pass, the Company shall grant running powers to any other railway company applying therefor over its railway through the said pass, and also over the approaches thereto, on terms to be agreed upon, or to be settled in case of difference, by the Board of Railway-Commissioners for Canada.

35

40

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,
 5 street or other public place, and upon the terms to be agreed upon with such municipality.

Consent of municipalities.

10. 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
 10 merchandise, 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 carry on the business of warehousemen and wharfingers and charge wharfage and other dues for
 15 the use of any such property.

Special powers.

Vessels.

Wharfs.

Warehousemen and wharfingers.

11. The Company may, elsewhere than in Canada, for the purposes of its undertaking, purchase, lease or otherwise acquire, hold, enjoy and manage, either in the name of the Company or in the name of a trustee or trustees for
 20 the Company, such lands, water lots, wharfs, docks, dockyards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any such works or buildings, and sell or otherwise dispose thereof for the purposes of the Company.

Lands, wharfs, warehouses and other buildings elsewhere than in Canada.

25 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
 30 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.

35 2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraph 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.

40 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.

Issue of securities for railway.

13. The securities issued by the Company in respect to its railway shall not exceed fifty thousand dollars per mile of single track of its railway, nor seventy thousand dollars per mile of double track of its railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed. 5

Issue of securities for purposes other than railway.

14. In addition to the securities authorized by section 13 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. 10 15

Limitation.

Railway bridges used for general traffic.

15. 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. 20 25 30

Tolls and charges.

Notices.

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 Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company, the Canadian Northern Railway Company and the Alberta Central Railway Company; and also with the Government of Canada as regards the railway to Hudson Bay. 35

R.S., c. 37.

THE HOUSE OF COMMONS
OF CANADA.

BILL 52.

An Act to incorporate the Pacific Trans-Canada and Hudson Bay Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. MARTIN,
(Regina).

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 53.

An Act respecting patents of Edmund F. Piper.

WHEREAS Edmund F. Piper, of Fargo, in the state of Preamble.

North Dakota, one of the United States, has by his petition, represented that he is the owner of certain patents issued under the seal of the Patent Office, namely ninety-

5 three thousand six hundred and seventy-three, dated thirteenth June, one thousand nine hundred and five, for improvements in automatic steering devices for traction engines, and number ninety-four thousand three hundred and fifty-three, dated twenty-fifth July, one thousand nine

10 hundred and five, for improvements in traction wheels, 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:—

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patents an application for certificates of payment of further fees

Extension of time for payment of fees.

25 and the usual fees for one or more terms of the said patents, and may grant and issue to such holder certificates of payment of further fees, provided for by *The Patent Act*, and extensions of the term or duration of the said patents

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

30 had been duly made within the first six years from the date of the said patents.

Extension of duration of patent.

2. If any person, other than any licensee, has, in the period between the expiry of six years from the date of the said patents and the eighteenth of November, one

Saving of rights acquired.

35 thousand nine hundred and eleven, or in the period between the date at which any of the patents mentioned in the preamble may have become invalidated by any default under section 38 of *The Patent Act* and the eighteenth day of November, one thousand nine hundred and eleven, com-

40 menced to manufacture, use or sell in Canada any of the

OF CANADA
HOUSE OF COMMONS

BILL 53

patented inventions covered by the said patents respectively, such person may continue to manufacture, use or sell such inventions in as full and ample a manner as if this Act had not been passed; but this provision shall not extend to any person who, without the consent of the holder of the said patents, commenced the construction or manufacture of any of the said inventions before the expiry of the patent relating thereto, or before the date at which default under the said section 38 may have occurred with respect thereto. 5

THE HOUSE OF COMMONS
OF CANADA.

BILL 53.

An Act respecting patents of Edmund
F. Piper.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. FRIPP.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 54.

An Act to incorporate the Quinze River and Ottawa
Railway Company.

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

Preamble.

1. John Ambrose O'Brien, contractor; Frederick W. Rous, accountant; Peter Leo Smyth, clerk, all of the city of Montreal, in the province of Quebec; Samuel G. McClenahan, bookkeeper and William Johnston, barrister, both of the city of Ottawa, in the county of Carleton, in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Quinze River and Ottawa Railway Company," hereinafter called "the Company."

Incorporation.

Corporate name.

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

Declaratory.

3. The persons named in section 1 of this Act are 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 of the shares subscribed.

Capital stock.

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

Head office.

6. The annual meeting of the shareholders shall be held on the third Wednesday in September.

Annual meeting.

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

Directors.

Line of
railway
described.

8. The Company may lay out, construct, equip and operate a line of railway of the gauge of four feet eight and one-half inches, from a point near Kippawa in the county of Pontiac, in the province of Quebec, northwesterly to a point on the Quinze river, in the said county and said province, connecting with the branch of the Canadian Pacific Railway at or near Kippawa in the said province. 5

Telegraph
and telephone
lines.

9. 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. 10 15

Tolls and
charges.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using of 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. 20

R. S., c. 126.

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. 25

Issue of
securities.

10. 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. 30

Agreements
with other
companies.

11. 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 all or any of the following companies, namely:— the Ottawa Northern and Western Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Ontario Railway Company, and the Canadian Northern Quebec Railway Company. 35

THE HOUSE OF COMMONS
OF CANADA.

BILL 54.

An Act to incorporate the Quinze River
and Ottawa Railway Company.

[First reading, January 10, 1912.

(PRIVATE BILL.)

MR. BRABAZON.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 55.

An Act respecting patents of Thomas D. Rambaut.

WHEREAS Thomas D. Rambaut, of the city of New ^{Preamble.}
York, in the state of New York, one of the United
States, has by his petition represented that on the seventh
day of May, in the year one thousand nine hundred
5 and seven, certain patents were issued to Ernest William
Cooke of Waukesha, in the state of Wisconsin, one of the
United States, bearing the numbers 105096, 105097, 105098,
105099, 105100 and 105101, for processes for preserving vege-
tables by removing the water only and leaving behind
10 all other ingredients; that the said patents granted to the
said Ernest William Cooke, his executors, legal represent-
atives and assigns, for the period of eighteen years from the
date thereof, the exclusive right, privilege and liberty of
making, constructing, using and lending to others to be used,
15 in Canada, the said inventions, (only partial fees for the
first six years being paid upon the issue thereof), and he was
entitled upon application therefor to certificates of payment
of the renewal fees, as provided by section 23 of *The Patent
Act*, which said patents were issued under the seal of the
20 Patent Office; that prior to the said issue thereof, to wit on
the sixth day of September, one thousand nine hundred and
six, the said Ernest William Cooke sold, assigned and trans-
ferred to the said Thomas D. Rambaut all his right and title
to make application to the Patent Office, for issuance of
25 patents covering the processes and apparatuses described
in the applications theretofore made to the Commissioner
of Patents; that the said Thomas D. Rambaut was of the
opinion that further assignment of the right and title of
the said Ernest William Cooke was necessary; that the said
30 further assignment was impossible owing to the mortal illness
and death of the said Ernest William Cooke and the doubt
as to who were his heirs and legal representatives; that the
said Thomas D. Rambaut is now advised that the said
assignment of the sixth September, one thousand nine
35 hundred and six, was good and sufficient and conveyed to

him the rights of the said Ernest William Cooke; that the said Thomas D. Rambaut was in good faith throughout, 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 5 of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for payment of fees.

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

Extension of duration of patent.

Saving of rights acquired.

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patents 10 an application for certificates of payment of further fees and the usual fees for one or more terms for the said patents; and may grant and issue to such holder the certificates of payment of further fees, provided by *The Patent Act*, and extensions of the term of duration of the said patents, in 15 as full and ample a manner as if the applications therefor had been duly made within the first six years from the date of the issue of the said patents.

2. If any person, other than any licensee, has, in the period between the expiry of six years from the date of 20 the said patents and the sixteenth day of November, one thousand nine hundred and eleven, commenced to manufacture, use or sell in Canada such inventions covered by the said patents, such person may continue to manufacture, use or sell such inventions in as full and ample a manner as if 25 this act had not been passed: Provided that the exemption shall not extend to any person who has commenced the construction or manufacture of the said inventions before the expiry of the patents, without the consent of the holder of the said patents. 30

THE HOUSE OF COMMONS
OF CANADA.

BILL 55.

An Act respecting patents of Thomas
D. Rambaut.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. AMES.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 56.

An Act respecting the South Ontario Pacific 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.
1887, c. 85;
1889, c. 70;
1891, c. 92;
1896 (1st Sess), c. 35;
1906, c. 161;
1908, c. 157;
1910, c. 163.

1. The South Ontario Pacific Railway Company, hereinafter called "the Company," may lay out, construct and operate a railway from a point at or near Hamilton in a southerly and southeasterly direction to a point on the Niagara river, in the province of Ontario.

Line of railway authorized.

2. The Company may commence the construction of the railway authorized by section 1 of chapter 92 of the statutes of 1891, and the railway authorized by section 1 of this Act, within two years after the passing of this Act and may complete the said railways and put them in operation within five years after the passing of this Act, and may complete its bridge within seven years after the passing of this Act; and if the said railways are not so commenced or if the said railways and bridge are not so completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways and bridge as then remains uncompleted.

Time for construction of railway and bridge extended.

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 an agreement with the Canadian Pacific Railway Company, and may lease its undertaking and the railways which it is authorized to construct to the said Canadian Pacific Railway Company, but the approval of the shareholders of

Agreement with another company.

the said Canadian Pacific Railway Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

Issue of securities.

4. The securities issued by the Company in respect of the said railways shall not exceed fifty thousand dollars per mile of its railways constructed or under contract to be constructed. 5

Repeal.

5. Chapter 163 of the statutes of 1910 is repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 56.

An Act respecting the South Ontario
Pacific Railway Company.

First reading, January 10, 1912.

(PRIVATE BILL.)

MR. NESBITT.

THE HOUSE OF COMMONS OF CANADA.

BILL 57.

An Act respecting the Union Bank of Canada.

WHEREAS a petition has been presented praying that
it be enacted as hereinafter set forth, and it is ex-
pedient 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.
(Prov. of
Can.) 1865
c. 75;
Can., 1869,
c. 55;
1886, c. 58;
1898, c. 118.

1. Section 16 of chapter 75 of the statutes of the pro-
vince of Canada of 1865 is amended by striking out the
word "Quebec" in the second line thereof, and substituting
therefor the word "Winnipeg": Provided that such change
of the head office of the Union Bank of Canada from the
city of Quebec to the city of Winnipeg shall not take effect
until a date to be fixed by a resolution to be passed by the
board of directors of the said Bank, and published in
The Canada Gazette.

1865, c. 75
amended.
Head office.
Proviso.

2. The directors, instead of electing one of their number
to be vice-president, as provided by section 24 of *The
Bank Act*, may elect, by ballot, two of their number to
be vice-presidents, each of whom shall be a vice-president
of the Bank for all purposes within the meaning of *The
Bank Act*.

Vice-
presidents.

3. Except as provided by section 4 of *The Bank Act*,
and by section 2 of this Act, *The Bank Act* shall form and
be the charter of the Union Bank of Canada.

Charter of
bank.
R.S., c. 29.

Guaranteeing
of titles.
1910, c. 32.

3. The Company shall not carry on the business of the guaranteeing of titles or any other form of insurance coming within the provisions of *The Insurance Act*, until it has obtained a license for such purpose under the said Act.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 57.

An Act respecting the Union Bank of
Canada.

First reading, January 10 1912.

(PRIVATE BILL.)

MR. BARKER.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 58.

An Act respecting the Department of External Affairs.

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

1. This Act may be cited as *The Department of External Affairs Act*. Short title.
2. There shall be a Department of the Government of Canada to be called the Department of External Affairs, over which the Secretary of State for External Affairs shall preside. Department constituted.
- 10 3. The Member of the King's Privy Council for Canada holding the recognized position of First Minister shall be the Secretary of State for External Affairs, and in this Act he is hereafter referred to as "the Minister." Department to be under First Minister.
- 15 4. The Governor in Council may appoint an officer who shall be called the Under Secretary of State for External Affairs, and who shall be the deputy head of the department, and may also appoint such other officers and clerks as are requisite for the due administration of the business of the department, all of whom shall hold office during pleasure. Deputy head. Officers.
- 20 5. The Minister, as head of the department, shall have the conduct of all official communications between the Government of Canada and the Government of any other country in connection with the external affairs of Canada, and shall be charged with such other duties as may be assigned to the department by order of the Governor in Council in relation to such external affairs, or to the conduct and management of international or intercolonial negotiations so far as they may appertain to the Government of Canada. Powers and duties of department.
- 25

Foreign consular service.

6. The administration of all matters relating to the foreign consular service in Canada shall be transferred to the Department of External Affairs.

Annual report to Parliament.

7. The Minister shall annually lay before Parliament, within ten days after the meeting thereof, a report of the proceedings, transactions and affairs of the department during the year then next preceding. 5

1909, c. 13 repealed.

8. Chapter 13 of the statutes of 1909 is repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 58.

An Act respecting the Department of External Affairs.

First reading, January 10, 1912.

MR. BORDEN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 59.

An Act to amend the Patent Act.

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

1. Paragraph (a) of section 38 of *The Patent Act*, chapter 569 of the Revised Statutes, 1906, is amended by striking out the word "two" in the third line of the said paragraph and substituting therefor the word "four," and by striking out the words "or an authorized extension thereof" in the fifth line of the said paragraph. R.S., c. 69, s. 38 amended.
Manufacture in Canada.
- 10 2. Paragraph (b) of the said section is amended by striking out the first two lines thereof and substituting therefor the words "If, after the expiration of two years from the granting of the patent." Importation.
3. Sections 39 and 40 of the said Act are repealed. Ss. 39, 40 repealed.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 59.

An Act to amend the Patent Act

First reading, January 11, 1912.

MR. MACDONELL.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 60.

An Act to amend the Civil Service Act.

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

1. Section 39 of *The Civil Service Amendment Act, 1908*, 1908, c. 15 amended. chapter 15 of the statutes of 1908, is repealed and the following is substituted therefor:—

“39. Any person chosen by a Minister to be his private secretary may, without examination and irrespective of age, be appointed a clerk, for a period not exceeding one 10 year, in subdivision B of the first division or in subdivision A or subdivision B of the second division, and shall be paid a salary not exceeding the maximum salary of the subdivision to which he is appointed, and after one year’s service as such secretary he shall be deemed to be permanently 15 appointed to the inside service at the salary which he is then receiving as such clerk and with rank in such subdivision.

“2. Except as provided in subsections 3 and 4 of this section, the promotion and increase of salary of any person so permanently appointed to the inside service shall, after 20 such appointment, be governed by the general provisions of this Act. Promotion.

“3. If any such person so appointed ceases to be private secretary to a Minister, the Governor in Council may, upon the recommendation of the deputy head of the department, concurred in by the Minister of the department, add 25 to the salary of such person an amount equivalent to one hundred dollars for each year during which he served as such secretary, but not exceeding in all six hundred dollars. Salary on ceasing to be secretary.

“4. If the addition of such amount makes the salary 30 of such person greater than the minimum of the next higher division or subdivision, such person may thereupon be promoted into such division or subdivision.” Promotion.

2. This Act shall be deemed to have come into force on the tenth day of October, one thousand nine hundred 35 and eleven. Commencement of Act.

THE HOUSE OF COMMONS
OF CANADA.

BILL 60.

An Act to amend the Civil Service Act.

First reading, January 11, 1912.

MR. BORDEN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 61.

An Act respecting the Gatineau and Ungava Railway Company, and to change its name to "The Ottawa and Ungava 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. 102.

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

Name changed.

Saving of rights.

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

Time for construction of railway limited.

THE HOUSE OF COMMONS
OF CANADA.

BILL 61.

An Act respecting the Gatineau and
Ungava Railway Company, and to
change its name to "The Ottawa and
Ungava Railway Company."

First reading, January 12, 1912.

(PRIVATE BILL.)

MR. CHABOT.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 62.

An Act respecting the Kettle Valley 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.
1901, c. 68;
1903, c. 138;
1904, c. 89;
1906, c. 117;
1909, c. 95;
1910, c. 115;
1911, c. 101.

1. The Kettle Valley Railway Company, hereinafter called "the Company," may lay out, construct and operate a railway from a point at or near Vernon, in a southerly and southeasterly direction, by the most feasible route, to a point at or near Penticton, in the province of British Columbia.

Line of railway authorized.

2. 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 is authorized to construct by section 8 of chapter 68 of the statutes of 1901, as amended by section 2 of chapter 89 of the statutes of 1904, by section 2 of chapter 117 of the statutes of 1906, and by section 1 of chapter 115 of the statutes of 1910, namely:—

Time for construction of railways extended.

(a) From a point fifty miles up the north fork of the Kettle river, thence northerly by the most feasible route to Fire Valley, thence northwesterly following the general course of Fire Valley to Vernon, thence westerly to a junction with the line of railway of the Nicola, Kamloops and Similkameen Coal and Railway Company at or near Quilchena;

(b) From a point on the line so to be constructed, at or near the junction of the east fork and west fork of the north fork of Kettle river, in a generally northeasterly direction

to Franklin Camp, thence to Killarney by the most feasible route;

(c) From a point at or near Hedley, on the line to be constructed from Midway to Hedley, northerly along Twenty Mile creek, for a distance of about twenty miles; 5

(d) From a point on its present authorized line near the Coldwater river, in the province of British Columbia, by the most feasible route, to the navigable waters of the Fraser river, at or near Ruby Creek in the said province.

Limitation
of time for
construction.

2. If, within the said periods respectively, any of the said lines is not so commenced or is not so 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 such line as then remains uncompleted. 10 15

Issue of
securities on
railway
generally.

3. Except as provided in subsection 2 of this section, 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. 20

On Coqui-
halla branch.

2. The securities issued by the Company in respect of the line mentioned in paragraph (d) of subsection 1 of section 2 of this Act shall not exceed sixty thousand dollars per mile of railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed. 25

Certain
contracts
not affected.

4. Nothing in this Act shall affect or modify any contract entered into by the Company with the province of British Columbia or the municipality of Penticton. 30

THE HOUSE OF COMMONS
OF CANADA.

BILL 62.

An Act respecting the Kettle Valley
Railway Company.

First reading, January 12, 1912.

(PRIVATE BILL.)

Mr. GOODEVE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 63.

An Act to incorporate the Premier Life Insurance Company.

WHEREAS the persons hereinafter named have by their Preamble.
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:—

1. Malcolm E. Davis, broker, Dugald McCall Hardie, esquire, John Dixon Whetham, esquire, William I. D. Lathwell, barrister, and Frank N. Garrett, esquire, all of the city of Calgary, in the province of Alberta, together with such persons as become shareholders in the company, are incorporated under the name of "The Premier Life 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. Capital stock.

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. Amount to be subscribed before election of directors.

5. The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock have been subscribed, and sixty-five thousand dollars paid thereon. Commencement of business.

6. The head office of the Company shall be in the city of Calgary, in the province of Alberta. Head office.

7. The Company may make contracts of life insurance with any person, and in addition may grant, sell or purchase Business which may be carried on.

chase life annuities and endowments depending upon the contingency of human life, the premiums for which are payable at shorter intervals than quarterly, and may generally carry on the business of life insurance in all its branches and forms.

5

1910, c. 32.

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

63.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 63.

An Act to incorporate the Premier
Life Insurance Company.

First reading, January 12, 1912.

(PRIVATE BILL.)

MR. BENNETT,
(Calgary.)

OTTAWA

Printed by C. H. PARVILLER

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 64.

An Act to amend the Navigable Waters Protection Act.

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

1. *The Navigable Waters Protection Act*, chapter 115 of the Revised Statutes, 1906, is amended by inserting the following section immediately after section 19 thereof:—

R.S., c. 115.
Section added.

10 “**19A.** No person shall throw or deposit, or cause or permit to be thrown or deposited, any sewage, offal, or refuse, or any other solid matter that is poisonous, decomposing, refuse or waste, into any river any part of which is navigable, or into any stream that flows into any navigable river.

Deposit of sewage, etc, in navigable waters prohibited.

15 “**2.** Every corporation convicted of an offence against this section shall be liable to a fine not exceeding five hundred dollars and an additional sum of fifty dollars for each day during which the offence continues.

Penalties.
Corporations.

20 “**3.** 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 sum of ten dollars for each day during which the offence continues, or to imprisonment not exceeding two months, or to both fine and imprisonment.”

Individuals.

THE HOUSE OF COMMONS
OF CANADA.

BILL 64.

An Act to amend the Navigable
Waters Protection Act.

First reading, January 12, 1912.

MR. BRADBURY.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 65.

An Act to correct certain clerical errors in the French Version of the Revised Statutes, 1906.

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

1. The French Version of the Revised Statutes, 1906, is amended in the manner set forth in the following Schedule:—

SCHEDULE.

1. Paragraph (i) of section 265 of *The Dominion Elections Act*, chapter 6 of the Revised Statutes, 1906, is amended by inserting after the word "emploi" in the fourth line thereof the words "ou convient de donner ou procurer, ou offre ou promet de procurer ou cherche à procurer quelque charge, place ou emploi."

2. Subsection 1 of section 306 of *The Railway Act*, chapter 37 of the Revised Statutes, 1906, is amended by striking out all after the word "ces" in the fourth line thereof and substituting therefor the words "dommages supposés ont pris fin, ou si ces dommages se continuent, dans l'année qui suit celle où ils ont été faits ou commis, et n'est pas admissible plus tard."

3. Section 10 of *The Interest Act*, chapter 120 of the Revised Statutes, 1906, is amended by striking out all after the word "aucun" in the twelfth line thereof to the end of the said section, and substituting therefor the words "temps ensuite sur le principal ni sur l'intérêt dû en vertu de l'acte d'hypothèque. Cependant, rien dans le présent article ne doit s'appliquer à une hypothèque sur propriété foncière consentie par une compagnie par actions ou autre corporation, non plus qu'aux débetures émises par toute pareille compagnie ou corporation, et dont le remboursement aura été garanti au moyen d'hypothèques sur propriétés foncières."

4. Section 12 of *The Winding-up Act*, chapter 144 of the Revised Statutes, 1906, is amended by striking out the word "quatre" in the fifth line thereof and substituting therefor the word "deux."

5. Section 101 of the said Act is amended by inserting the words "une cour ou" immediately after the word "par" in the third line thereof.

THE HOUSE OF COMMONS
OF CANADA.

BILL 65.

An Act to correct certain clerical errors
in the French Version of the
Revised Statutes, 1906.

First reading, January 15, 1912.

MR. DOHERTY.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 66.

An Act respecting the Public Archives.

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

1. This Act may be cited as *The Public Archives Act*. Short title.
- 5 **2.** In this Act the expression "Minister" means the President of the Privy Council, or such other member of the King's Privy Council for Canada as is named for that purpose by order in council. Interpretation.
- 10 **3.** The Governor in Council may appoint an officer to be called the Dominion Archivist, who shall have the rank and salary of a deputy head of a department, and who, under the direction of the Minister, shall have the care, custody and control of the Public Archives. Dominion Archivist.
- 15 **4.** The Governor in Council may appoint such other officers and clerks as are required for the proper care, custody and control of the Public Archives, all of whom shall hold office during pleasure. Officers and clerks.
- 20 **5.** The Dominion Archivist shall, subject to the direction of the Minister, oversee and direct all officers, clerks and employees appointed to assist him in the performance of his duties. Control of officers and clerks.
- 25 **6.** The Public Archives shall consist of all such public records, documents and other historical material of every kind, nature and description as, under the provisions of this Act, or under the authority of any order in council made by virtue thereof, are placed under the care, custody and control of the Dominion Archivist. Public Archives.
- 30 **7.** The Governor in Council may order and direct that any public records, documents or other historical material of any kind, nature, or description shall be taken from the Transfer of public records, etc., to Archives.

custody of any department of the Government having control thereof and removed to the Archives Building in the city of Ottawa established for the purpose of containing such records, documents and material and placed under the care, custody and control of the Dominion Archivist. 5

Records, etc.,
acquired to
be placed in
Archives.

2. The Governor in Council may order and direct that any other records, documents or historical material of any kind, nature or description acquired under the authority of the Minister shall be placed in the said Archives Building under the care, custody and control of the Dominion Archivist. 10

Archivist
may acquire
documents,
etc.

8. The Dominion Archivist, under the direction of the Minister, may acquire for the Public Archives all such original records, documents and other material as he deems necessary or desirable to secure therefor, or he may acquire copies thereof, and all such originals or copies so acquired shall form part of the Public Archives, and he may pay for the same, or for the transcribing, binding and repairing thereof, or any other expense incurred in connection therewith, out of such moneys as are voted by Parliament for the purposes of the Public Archives. 15 20

Certification
of documents,
etc., under
R.S., c. 145.

9. The Dominion Archivist shall be a deputy head of a department within the meaning of *The Canada Evidence Act*, and with respect to any of the records or documents under his custody and control he may give any certification or do any act or thing which, under the said Act or any other statute or any regulation, may be given or done by a deputy head of a department of government, and any such certification, act or thing shall have the same force and effect as if given or done by such deputy head of a department. 25 30

THE HOUSE OF COMMONS
OF CANADA.

BILL 66.

An Act respecting the Public Archives.

First reading, January 16, 1912.

MR. BORDEN.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 67.

An Act respecting the Interprovincial and James Bay 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.
1901, c. 66;
1903, c. 134;
1905, c. 109.

1. The Interprovincial and James Bay Railway Company, hereinafter called "the Company," may commence the construction of the line of railway authorized by section 8 of chapter 66 of the statutes of 1901, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

2. The securities issued by the Company in respect of the said railway shall not exceed fifty thousand dollars per mile of its railway constructed or under contract to be constructed.

Issue of securities.

3. Chapter 109 of the statutes of 1905 is repealed.

Repeal.

THE HOUSE OF COMMONS
OF CANADA.

BILL 67.

An Act respecting the Interprovincial
and James Bay Railway Company.

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. WHITE,
(Renfrew).

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

THE HOUSE OF COMMONS OF CANADA.

BILL 68.

An Act respecting Queen's College at Kingston, and to change its name to "Queen's University at Kingston."

WHEREAS the Board of Trustees of Queen's College at Kingston, with the sanction and concurrence of the General Assembly of the Presbyterian Church in 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:—

1. The name of Queen's College at Kingston, hereinafter called "the University," is changed to "Queen's University at Kingston," but such change of name shall not in any way impair, alter or affect the rights, powers, privileges or liabilities of the University, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the University, which, notwithstanding such change of name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.
2. The University is hereby declared to be a work for the general advantage of Canada.
3. The management and discipline of the University shall be in every respect freed from all denominational restrictions, and it shall in every respect be national and undenominational in its character and management; and upon the passing of an Act to incorporate the Theological Faculty of the University under the name of Queen's Theological

Preamble.

Name changed.

Existing rights and liabilities continued.

Declaratory.

Restrictions removed.

Queen's
Theological
College.

College, no connection shall thereafter exist between the University and the said Theological Faculty other than the power of the said Theological Faculty to affiliate with the University.

Existing
rights
preserved.

4. The University shall have and possess all the powers, 5
rights and privileges heretofore possessed by Queen's
College at Kingston, subject to the provisions of this Act.

Relations of
affiliated
institutions.

5. All colleges and schools which are now in affiliation 10
with the University shall be continued in their present rela-
tions therewith, subject to the provisions of this Act.

Existing by-
laws, etc.,
continued.

6. All statutes, by-laws, rules and regulations of the
University are continued, subject to the provisions of this
Act.

Existing
appointments
continued.

7. The chancellor, the principal, the trustees, the pro- 15
fessors and all others holding appointments in the Univer-
sity are hereby continued in their respective offices, subject
to the provisions of this Act.

Rector.

8. In addition to the chancellor elected by the Council
and the principal appointed by the trustees there shall be a
rector elected by the registered matriculated students of the 20
University.

Election of
Rector.

2. The manner of election of the rector shall be prescribed
by by-laws of the University Council, and he shall hold office
for three years, or until his successor is elected.

Corporators.

9. The corporators of the University shall be the members 25
of the board of trustees, the professors, the graduates and
the benefactors of the University.

Benefactor.

2. A benefactor is any person who shall have given at
least one hundred dollars to the University.

Administra-
tion.

10. The administration of the University shall be carried 30
on as heretofore by means of (1) a Board of Trustees, (2) a
University Council, and (3) a Senate.

Board of
Trustees.

11. The Board of Trustees of the University shall con-
sist of the chancellor, the rector, the principal and the
Minister of Education for the province of Ontario, who 35
shall be *ex officio* members, an assessor appointed by the said
Minister, a member appointed annually by the governing
board of each affiliated college, six members elected by the
University Council, six members elected by the graduates,
four members elected by the benefactors and twelve mem- 40
bers to be elected by the Board of Trustees.

12. The mode of election and tenure of office of members of the Board of Trustees, other than *ex officio* members, shall be as follows:— Election and tenure of office.

- 5 (a) The assessor appointed by the said Minister of Education shall hold office for one year;
- (b) The member appointed annually by the governing board of each affiliated college shall hold office for one year;
- 10 (c) The members elected by the University Council shall be elected from among their own number in accordance with by-laws passed by the said Council;
- (d) The members elected by the graduates and by the benefactors shall be elected in accordance with by-laws passed by the University Council;
- 15 (e) The twelve members to be elected by the Board of Trustees shall be elected in the first instance by the present Board of Trustees, and may be chosen from among the members of the present Board, and three of them shall retire annually in alphabetical order, and
- 20 the places of those so retiring shall be filled by the election, by the Board of Trustees of the University, of members who shall hold office for the term of four years;
- (f) In case a vacancy occurs in the Board of Trustees by death, resignation or any cause other than effluxion of
- 25 time, the vacancy shall thereupon be filled for the balance of the term by the appointing or electing person or body.

Provided, however, that the present representatives of the University Council and of the graduates on the Board of Trustees of Queen's College at Kingston shall continue in office and be members of the Board of Trustees of Queen's

30 University at Kingston until their respective terms of office expire. Proviso.

13. No professor or regular member of the staff in the University or in any affiliated college, other than a principal, shall be eligible as a member of the Board of Trustees. Who may not be trustees.

35 **14.** The chairman of any meeting of the Board of Trustees shall have a deliberative vote and also a casting vote in case of equality of votes. Votes of chairman.

15. Seven members of the Board of Trustees shall be a quorum for all purposes except for the appointment or removal of the principal or of a professor, for which purpose a quorum of thirteen shall be necessary; provided that for the removal of a principal or of a professor a two-thirds affirmative vote of those present shall be required. Quorum of Board.

40

16. The Board of Trustees shall be duly constituted as soon as the twelve members provided for in section 11 of When new Board may be convened.

45

this Act have been elected as hereinbefore provided, notwithstanding that all other members of the Board have not been appointed or elected, and the Board may be convened by the chancellor, and shall appoint its chairman.

- Senate continued. **17.** The Senate as at present constituted is hereby continued subject to the provisions of this Act, and the Board of Trustees, acting after consultation with the Senate, may pass any enactments in regard to the Senate which the Board thinks proper. 5
- University Council continued. **18.** The University Council is hereby continued and, subject to the provisions of this Act, shall have and exercise its present powers and functions, and may in addition frame regulations or by-laws to govern the conduct of its annual elections and to fix the term for which its members shall hold office and the number that shall retire annually. 10 15
- Affiliation of other institutions. **19.** The University may admit to affiliation any college instituted for the promotion of the study of theology, literature, medicine, science or arts.
- No religious qualification for officers of University. **20.** The University shall continue distinctively Christian, but no religious test or qualification save the profession of Christianity shall be required of or appointed for any officer, trustee, member of Council, or official of the University. Laymen shall be eligible to any position therein. 20
- Degrees in Divinity. **21.** The University may confer degrees in Divinity at the instance of its Senate or of any affiliated theological college. 25
- Payment of fixed amount by University to Theological College. **22.** In order to provide for the maintenance of Queen's Theological College in affiliation with the University, the University shall pay to the said College the sum of two hundred thousand dollars or good securities of equivalent value, within one year after the passing of this Act. Until the payment to the said College of the said sum, the University shall pay average interest earned by the University on its investments on the amount unpaid to the said College from the date of the passing of this Act. 30
- Accommodation to be provided by University. **23.** The University shall provide for the said Theological College adequate class room and other accommodation for teaching purposes in the University buildings, including light, heat and attendance, to the satisfaction of the board of management of the said College, having regard to its requirements. 35 40

24. The University may invest its funds in any securities in which life assurance companies are authorized by Parliament to invest. ^{Powers of investment.}

25. So much of the said Royal Charter granted by Her late Majesty Queen Victoria as aforesaid and of amending Acts as is contradictory to or inconsistent with this Act, or as makes any provision in any matter provided for by this Act other than such as is hereby made in such matter, is hereby repealed and annulled, anything in the said charter and amending Acts to the contrary notwithstanding. ^{Provisions repealed.}

THE HOUSE OF COMMONS

BILL OF

THE UNIVERSITY OF TORONTO ACT, 1827

ENACTED IN PARLIAMENT

1827

1827

PRINTED BY RICHARD CLAY AND COMPANY, BUNGAY, SUFFOLK

THE HOUSE OF COMMONS
OF CANADA.

BILL 68.

An Act respecting Queen's College at
Kingston, and to change its name to
"Queen's University at Kingston."

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. NICKLE.

THE HOUSE OF COMMONS OF CANADA.

BILL 69.

An Act to incorporate Queen's Theological College.

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
5 and House of Commons of Canada, enacts as follows:—

Preamble.

- 1.** In this Act, unless the context otherwise requires,—
- (a) "College" means Queen's Theological College;
 - (b) "University" means Queen's College at Kingston or Queen's University at Kingston, under whichever name it
10 may be designated;
 - (c) "Faculty" means the present Faculty of Theology in Queen's College at Kingston;
 - (d) "General Assembly" means the General Assembly of the Presbyterian Church in Canada;
 - 15 (e) "Board" means the Board of Management of Queen's Theological College.

Interpreta-
tion.

- 2.** The ministers and members for the time being of the Presbyterian Church in Canada are incorporated under the name of "Queen's Theological College," which is declared
20 to be the successor of the Faculty of Theology of Queen's College at Kingston, and to be subject to the jurisdiction of the General Assembly.

Incorpora-
tion.

Corporate
name.

- 3.** The College is declared to be a work for the general
advantage of Canada.

Declaratory.

- 25 **4.** Wherever in the Royal Charter incorporating Queen's College at Kingston reference is made to the Faculty of Theology, such reference shall apply to the College.

Royal
Charter.

- Present appointments and regulations. **5.** All appointments in and all statutes and regulations now affecting the Faculty shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers and servants and employees, to their removal by the Board. 5
- 6.** The members of the Faculty are declared to be professors in the College.
- Professors. **7.** All courses of study in the Faculty and all regulations affecting them shall continue in force subject to the provisions of this Act, and shall apply to the College in the same manner and to the same extent as they are now applicable to the Faculty, but they may be abrogated or modified by the Board. 10
- Courses of study.
- Duties and powers of Board. **8.** The government, conduct, management and control of the College, and of its property, revenues, business and affairs, shall be vested in the Board. 15
- Board of Management. **9.** The College is declared to be affiliated with the University, and the first Board shall be the provisional Board appointed by the General Assembly at its meeting in Ottawa in June, one thousand nine hundred and eleven. 20
- No member of teaching staff eligible to Board. **10.** No member of the teaching staff of the University or of the College, or of any federated or affiliated college, shall be eligible to be appointed as a member of the Board, except the principal of the University and the principal of the College. 25
- Powers of Board. **11.** All powers in respect of the Faculty which have heretofore been vested in the Board of Trustees of Queen's College at Kingston are hereby, subject to the provisions of this Act, vested in the Board of Management of Queen's Theological College. 30
- Appointment or removal of principal or professors. **12.** The Board may appoint or remove the principal and professors in the College, subject to the veto of the General Assembly, to whom such appointments shall be reported.
- Constitution of Board. **13.** The Board shall consist of twenty-five members to be appointed by the General Assembly, five of whom shall retire annually, and in such order as is determined by the Board. The General Assembly shall annually appoint five members of the Presbyterian Church in Canada to succeed those retiring, who, however, shall be eligible for re-appointment. Vacancies by death, resignation, or other cause may be filled by the continuing members of the Board, subject 40

to confirmation by the General Assembly. Seven members shall constitute a quorum for regular business; but for the appointment or removal of the principal or of a professor thirteen members shall constitute a quorum.

- 5 **14.** The Board may also, subject to the approval of the General Assembly, make rules and by-laws for the government of the College, and the Board may also, subject as aforesaid, constitute a Senate for the College with such powers as it deems expedient. By-laws. Senate.
- 10 **15.** Professors of the College shall be in the meantime members of the Senate of the University and, in the event of any change being made in the constitution of the said Senate, not less than three members of the Faculty shall be members of the said Senate. Theological professors on the University Senate.
- 15 **16.** The College may, without license in mortmain, acquire and enjoy by gift, grant, conveyance, devise, bequest or otherwise, any real or personal property for the use of the College, in trust for the promotion of theological learning and education of youth for the holy ministry, under the authority and according to the principles and standards of the Presbyterian Church in Canada, and may, sell, let, convey, or otherwise dispose thereof. Power to receive and convey property.
- 20 **17.** The College may invest its funds in any securities in which life assurance companies are authorized by Parliament to invest. Investment of funds.
- 25 **18.** In order to provide for the maintenance of the College in affiliation with the University, the College shall receive, out of the funds of the University the sum of two hundred thousand dollars or good securities of equivalent value, within one year after the passing of this Act. Until the payment to the College of the said sum, the University shall pay average interest earned by the University on its investments on the amount unpaid to the College from the date of the passing of this Act. Payment of fixed amount by University to College.
- 30 **19.** The University shall provide for the College adequate class room and other accommodation for teaching purposes in the University buildings, including light, heat and attendance, to the satisfaction of the Board, having regard to its requirements. Accommodation to be provided by University.

THE HOUSE OF COMMONS
OF CANADA.

BILL 69.

An Act to incorporate Queen's Theological College.

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. NICKLE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 70.

An Act to incorporate the Roman Catholic Episcopal Corporation of Keewatin.

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 Right Reverend Ovide Charlebois, and his successors, being Vicars Apostolic of the Vicariate Apostolic of Keewatin, in communion with the Church of Rome, are incorporated under the name of "The Roman Catholic Episcopal Corporation of Keewatin," hereinafter called "the Corporation."

Incorporation.

Corporate name.

2. All lands, tenements and hereditaments and property, real and personal, and all burial grounds, churches, schools, colleges, chapels, seminaries and other buildings now belonging to and used, held, occupied and possessed or enjoyed by the said Right Reverend Ovide Charlebois, or his church, in communion with the Church of Rome, or by the Corporation, and which are situate within the said Vicariate Apostolic of Keewatin, are declared to be vested in the Corporation for the general uses and purposes thereof, subject however to all existing rights of property therein, and to all liens and incumbrances thereon, had or held by, or vested in any person, or body politic, other than the said Right Reverend Ovide Charlebois.

Property of Corporation.

3. Any person, body politic or episcopal corporation in whom or in whose name any lands, tenements or hereditaments, or other property, real or personal, are now or shall or may be hereafter vested, in trust or otherwise, for the benefit of the Roman Catholic Church within the said Vicariate, may, grant, convey, assign or transfer by deed or otherwise in the usual way according to the law

Property may be acquired.

of the province or district in which the same may be situate, the said lands, tenements, hereditaments and other property, real and personal, of every nature and kind whatsoever to the Corporation, for the uses and purposes thereof, subject however to all lawful charges and liens thereon, and subject also to the provisions of the laws of the respective provinces or districts. 5

Real and personal property.

4. The Corporation may take, hold and receive any real or personal property, notes, bonds, mortgages and agreements or other obligations for the payment of money, by virtue of any purchase, agreement, voluntary conveyance or of any last will or testament of any person whatsoever, subject however to the laws of the respective provinces or districts. 10

Property may be disposed of.

5. The Corporation may, sell, exchange, alienate, let, demise, lease or otherwise dispose of any property, real or personal, belonging to or vested in the Corporation, and also purchase and acquire other property, real or personal, for the use and purposes of the Corporation, subject however to the same local laws: Provided always, that the Corporation shall, within ten years after its acquisition of any such real estate, sell or otherwise dispose of and alienate so much of each real estate as is not required for the use and occupation or other like purposes of the Corporation. 15 20

Proviso.

Borrowing powers.

6. The Corporation may borrow money on the property, real or personal, of the Corporation for the purpose of paying off the debts, mortgages or other claims against the Corporation, or of purchasing real estate or other property for the use and purposes of the Corporation, or for the purpose of erecting, finishing, embellishing or repairing any church, chapel, schoolhouse, seminary, or residence for the use of the bishop or of the clergymen of the said Vicariate: Provided that the persons from whom such moneys shall be borrowed, on any such mortgage security, shall not be obliged to see to the application of the said moneys. 25 30 35

Limitation.

Powers.

7. The said Vicar Apostolic of the Vicariate of Keewatin, for the time being, may, in the name of the Corporation, make or execute any deed, mortgage, conveyance, demise, release or assignment of the whole or any part of the real estate acquired or held by the Corporation, with the consent in writing of his coadjutor, or senior Vicar-General, and one additional clergyman, to be selected by the said Vicar Apostolic, for the time being; and in case there shall happen to be no coadjutor, or Vicar-General, or in case 40

Conditions.

they shall be incapacitated by sickness, infirmity or any other cause, or shall happen to be absent at the time, then with the consent in writing of two clergymen, to be selected by the said Vicar-Apostolic; and all such selections and 5 such consent, as aforesaid, shall appear upon the face of the deed or other instrument in writing intended to be executed by the Corporation, and shall be testified to, by the said Vicar-Apostolic and coadjutor, or senior Vicar-General, and one additional clergyman, or such two other 10 clergymen as aforesaid, as the case may be, being made parties to and signing and sealing all such deeds, mortgages or other instruments in writing, in the presence of two credible witnesses, as consenting parties thereto respectively.

15 **8.** A declaration or recital in the deed, mortgage or other instrument in writing, that it has been executed by the persons and in the manner mentioned in the next preceding section, shall be sufficient evidence of the matters therein stated; and any statutory discharge of mortgage, 20 release or receipt for the payment of money, being a charge on land, required to be given or executed by the Corporation, shall be deemed to be valid and sufficiently executed if the seal of the Corporation be affixed thereto, and if the same be signed in the presence of one witness by the Vicar 25 Apostolic of the said Vicariate, for the time being, and his coadjutor, or senior Vicar-General, with one additional clergyman, or by two clergymen, in the event of there being no coadjutor, or Vicar-General, or in the event of the coadjutor and senior Vicar-General being absent or incapacitated by sickness, infirmity or any other cause; and no 30 recitals shall be necessary therein or therefor.

Declaration in deed to be evidence of transaction.

35 **9.** In case the Vicar Apostolic, for the time being, of the said Vicariate shall, from absence, or from sickness, infirmity or any other cause, become incapable or incapacitated to perform his duties in the said Vicariate, then his coadjutor or the person or persons administering the Vicariate, for the time being, shall, during such absence, sickness, infirmity or incapacity, have the same powers as are, by this Act, conferred upon the said Vicar Apostolic.

Substitutes for Vicar Apostolic in certain cases.

40 **10.** Whenever the said Vicariate, or any part thereof, is erected into a diocese, the incorporation hereby created shall thereupon apply to such diocese; and the Bishop thereof, and his successors, for the time being, in communion with the Church of Rome, shall be deemed to be and 45 to constitute the Roman Catholic Episcopal Corporation of Keewatin, being the Corporation hereby created, and

Application of Act when diocese created.

shall have and possess, under the said corporate name, all the powers, rights and privileges, and be subject to the same restrictions and limitations in respect thereof as are contained in this Act.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 70.

An Act to incorporate the Roman
Catholic Episcopal Corporation
of Keewatin.

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. MCKAY.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA

BILL 71.

An Act respecting a patent of the Spirella Company of Canada, Limited.

WHEREAS the Spirella Company of Canada, Limited, a Preamble.
body corporate having its chief place of business at
Niagara Falls, in the province of Ontario, has by its petition
represented that it is the holder of a patent, number eighty-
5 nine thousand three hundred and seventy-nine, dated the
twenty-seventh day of September, one thousand nine hundred
and four, issued under the seal of the Patent Office,
for an improvement in machines for manufacturing wire
garment stays, and has prayed that it be enacted as herein-
10 after 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. Notwithstanding anything in *The Patent Act*, or in
15 the patent mentioned in the preamble, the Commissioner of
Patents may receive from the holder of the said patent an
application for a certificate of payment of further fees and
the usual fees for the second and third term for the said
20 patent, and may grant and issue to such holder certificates of
payment of further fees, as provided for by *The Patent Act*,
and extensions of the term of duration of the said patent, in as
full and ample a manner as if the application therefor had
been duly made within the first six years from the date of
the issue of the said patent.

Extension of
time for
payment
of fees.

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

Extension of
duration of
patent.

25 2. If any person has, in the period between the expiry
of six years from the date of the said patent, and the eleventh
day of November, one thousand nine hundred and eleven,

Saving of
of rights
acquired.

commenced to manufacture, use or sell in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention, in as full and ample a manner as if this Act had not been passed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 71.

An Act respecting a patent of the
Spirella Company of Canada,
Limited.

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by C. H. PARMELEE
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1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 72.

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

WHEREAS the persons hereinafter named have by their ^{Preamble.} 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
5 consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Albert Edward Munn, of Orillia, lumberman, William ^{Incor-} Henry Shaw, business college principal, George B. Smith, ^{poration.} physician, Alfred Passmore Poussette, one of His Majesty's
10 Counsel, John William Garvin, broker, and Ninan Rand Lindsay, investment company president, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incor-
15 porated under the name of "The Sterling Life Assurance ^{Corporate.} Company of Canada," hereinafter called "the Company." ^{name.}

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

3. The capital stock of the Company shall be one million ^{Capital} dollars. ^{stock.}

20 **4.** The amount to be subscribed before the general ^{Subscription} meeting for the election of directors is called shall be one ^{before general} hundred thousand dollars. ^{meeting.}

- Subscription before commencing business. **5.** The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock have been subscribed, and seventy-five thousand dollars paid thereon.
- Head office. **6.** The head office of the Company shall be in the city of 5 Toronto, in the province of Ontario.
- Business which may be carried on. **7.** The Company may take contracts of insurance in respect to life insurance as provided by Part II of *The Insurance Act, 1910*, and also in respect to industrial insurance.
- 1910, c. 32. **8.** *The Insurance Act, 1910*, shall apply to the Company. 10

72.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 72.

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

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. BLAIN.

OTTAWA

Printed by C. H. PARMELEN

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 73.

An Act respecting the Vancouver Island and Eastern Railway Company.

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

Preamble.
1908, c. 167;
1910, c. 171.

1. The Vancouver Island and Eastern Railway Company may commence the construction of its railways, authorized by chapter 167 of the statutes of 1908, and by this Act, and may expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and the said railways may be completed and put into operation within five years after the passing of this Act; and if the said railways are not so commenced, and such expenditure is not so made, or if the said railways are not so completed and put into operation within the said respective periods, the powers of construction granted to the said company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

Time for construction of railways extended.

2. Section 2 of chapter 171 of the statutes of 1910 is repealed.

1910, c. 171 amended.

THE HOUSE OF COMMONS
OF CANADA.

BILL 73.

An Act respecting the Vancouver Island
and Eastern Railway Company.

First reading, January 18, 1912.

(PRIVATE BILL.)

MR. BARNARD.

THE HOUSE OF COMMONS OF CANADA.

BILL 74.

An Act respecting the use of Flags.

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

1. No person shall display any flag authorized to be used in the British Empire, or any representation of such flag, on which appears any word, figure or design of any nature whatsoever, except as hereinafter provided for. Word, figure or design on flags prohibited.
2. No person shall use any such flag for the purpose of giving notice of the sale of any kind of merchandise. Flag not to be used to give notice of sale
- 10 3. Nothing in this Act shall prevent the use of any trade mark or industrial design which has, as its design, or as a part thereof, any representation of such flag, nor prevent the use of any copyright of which a representation of such flag is a necessary part. Trade marks, copyrights and designs excepted.
- 15 4. Nothing in this Act shall prevent the use of the flag authorized for the Governor General of Canada or the Lieutenant Governor of any province. Special flags excepted.
- 20 5. Any person violating any provision of sections 1 or 2 of this Act shall, for each offence, be liable to a fine not exceeding one hundred dollars, which shall be recoverable in any court of competent jurisdiction. Each day during which such offence continues shall be deemed to be a separate offence. Penalties.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 74.

An Act respecting the use of Flags.

First reading, January 18, 1912.

MR. BRADBURY.

OTTAWA
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1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 75.

An Act to amend the Senate and House of
Commons Act.

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

1. Subsection 1 of section 37 of *The Senate and House of* R. S. c. 10,
5 *Commons Act*, chapter 10 of the Revised Statutes, 1906, is ^{s. 37} amended.
repealed, and the following is substituted therefor:—

“**37.** Whenever any person is a member of either House Attendance
for more than thirty days during any session, though such for part of
person may be a member for a part only of such session, he session.
10 shall be entitled to his sessional allowance, subject to the
deduction aforesaid for non-attendance as a member, and
subject also to a deduction of fifteen dollars for each sitting
day of such session before he was elected or appointed, or
after he ceased to be a member, as the case may be.”

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 75.

An Act to amend the Senate and
House of Commons Act.

First reading, January 19, 1912.

MR. DOHERTY.

OTTAWA
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1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 76.

An Act to amend the National Transcontinental
Railway Act.

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

1. Section 9 of chapter 71 of the statutes of 1903 and
5 section 11 of chapter 24 of the statutes of 1904 are repealed,
and the following is enacted as section 9 of the statutes of
1903:—

1903, c. 71,
new s. 9.
1904, c. 11
amended.

“9. The construction of the Eastern Division and the
operation thereof until completed and leased to the Company
10 pursuant to the provisions of the Agreement shall be under
the charge and control of one commissioner, to be appointed
by the Governor in Council, who shall hold office during
pleasure, and who, and whose successors in office, shall be
15 a body corporate under the name of “The Commissioners
of the Transcontinental Railway,” hereinafter called “the
Commissioners.”

Commis-
sioners.

2. Section 22 of chapter 71 of the statutes of 1903 is
repealed and the following is substituted therefor:—

1903, c. 71,
new s. 22.

“22. The Minister of Finance and Receiver General may,
20 on the recommendation of the Minister of Railways and
Canals, pay such claims and accounts for work done or
services performed in the construction of the Eastern
Division as have been approved and certified by the Com-
missioners: Provided; however, that no money shall be
25 so paid until a sufficient appropriation has been made by
Parliament for the purpose.”

Advances to
Commis-
sioners.

THE HOUSE OF COMMONS OF CANADA.

BILL 77.

An Act to encourage and assist the Improvement
of Highways.

WHEREAS the highways of Canada constitute an Preamble.
important part of the facilities which are necessary
for any efficient national scheme of transportation and
inter-communication; and whereas, with the increasing
5 progress and development of the country it is desirable
and expedient to improve and extend the existing highway
facilities, and for that purpose to give assistance to the
various provinces of Canada: Therefore His Majesty, by
and with the advice and consent of the Senate and House
10 of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canada Highways* Short title.
Improvement Act.

2. In this Act the word "Minister" means the Minister "Minister."
of Railways and Canals.

15 **3.** The Governor in Council may, in any year, and Grant of
annual
subsidy
for highways.
upon such terms and subject to such conditions as are
proscribed by order in council, grant to any province in aid
of the improvement of existing highways or the construction
of new highways in such province, or for both such purposes,
20 a subsidy not exceeding such sum as may in such year be
voted by Parliament for that purpose.

4. Any highway for which aid is granted to a province Specifica-
tions for
improvement
and construc-
tion to be
approved.
shall be improved or constructed, as the case may be,
according to descriptions, conditions and specifications
25 approved by the Governor in Council on the report of the

Minister, and specified in each case in an agreement between the Minister and the Government of the province, which agreement the Minister, with the approval of the Governor in Council, is hereby empowered to make.

5. Each highway to be constructed or improved shall be defined and described in such agreement, and provision may be made therein for the future maintenance of such highway in good condition according to a specified standard and to the satisfaction of the Governor in Council.

6. The Minister, with the approval of the Governor in Council and upon such terms and conditions as are prescribed by order in council, may undertake the construction of any new highway or the improvement of any existing highway in any province, and may expend in such improvement or construction the whole or any part of the sums voted by Parliament for such subsidy to that province. Provided, however, that the Minister shall first obtain the necessary authority from the legislature of such province and the consent of the Lieutenant Governor in Council.

Agreement with province.

Provisions of agreement.

Minister may undertake construction and improvement of highways.

Authority of provincial legislature.

THE HOUSE OF COMMONS OF CANADA.

BILL 77.

An Act to encourage and assist the Improvement of Highways.

First reading, January 22, 1912.

MR. COCHRANE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 78.

An Act to amend the Inspection and Sale Act.

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

- 5 **1.** Section 2 of *The Inspection and Sale Act*, chapter 85 of the Revised Statutes, 1906, is amended by striking out the fifth line thereof and substituting therefor the words "Part III applies exclusively to flour, meal and feed." R. S. c. 85 amended.
Application of Part III.

- 10 **2.** The said Act is amended by inserting the following section immediately after section 149:—
"149A. In this Part, 'feed' when referred to with respect to the weight of the contents of a bag or package thereof, means and includes the seeds or mixed meals made from the entire grains of wheat, rye, barley, oats, Indian corn, buckwheat, or flaxseed, and the bran and middlings from
15 either wheat, rye, oats, peas, buckwheat, flax or sugar beet." Section added.
Interpretation.
Definition of "feed."

- 20 **3.** Section 150 of the said Act is repealed and the following is substituted therefor:—
"150. This Part applies to flour, meal and feed imported
20 into Canada, or manufactured or sold or offered for sale therein, and the reinspection of flour, meal and feed at any place to which it is removed within Canada, whenever such reinspection is declared by the Governor in Council to be necessary in the public interest." New s. 150.
Application of Part.

- 25 **4.** Section 164 of the said Act is amended by inserting, immediately after the word "packer" in the first line thereof, the words "of every such barrel or half barrel." Section 164 amended.
Name on barrel.

- 5.** The said Act is amended by inserting the following section immediately after section 164:— Section added.

Marks on bag or package of flour, meal or feed. "164A. The manufacturer or packer of every bag or package of flour, meal or feed shall plainly mark on such bag or package the initials of his christian name and his surname at full length, and the name of his mill and place of packing, and the weight of the contents of such bag or package. 5

Exception. "2. This section shall not apply in any case where flour, meal or feed is weighed and put into the bag or package in the presence of the purchaser."

Section 165 amended. Description of barrels. 6. Subsection 1 of section 165 of the said Act is amended 10 by inserting the words "in barrels" immediately before the word "in" in the first line thereof.

Section added. 7. The said Act is amended by inserting the following section immediately after section 175:—

Sale, offer or possession of unmarked bag or package. "175A. Every person who sells, offers for sale, or has in 15 his possession for sale any bag or package of flour, meal or feed which has not plainly marked thereon the name and address of the manufacturer and the weight of the contents of the bag or package shall, for a first offence, be liable, on summary conviction, to a penalty not exceeding 20 twenty-five dollars, and for each subsequent offence to a penalty not exceeding fifty dollars."

Penalty.

New s. 337. 8. Section 337 of the said Act is repealed and the following is substituted therefor:—

Definitions. "337. A bushel of any article mentioned in this sub- 25 section shall mean, unless a bushel by measure is specially agreed upon, that number of Dominion standard pounds of such article which is shown in this subsection opposite the name of such article, namely:—

Bushel of certain articles.

Artichokes.....	56 pounds.	30
Beans.....	60 "	
Beets.....	50 "	
Bituminous coal.....	70 "	
Blue grass seed.....	14 "	
Carrots.....	50 "	35
Castor beans.....	40 "	
Clover seed.....	60 "	
Hemp seed.....	44 "	
Lime.....	70 "	
Malt.....	36 "	40
Onions.....	50 "	
Parsnips.....	45 "	
Potatoes.....	60 "	
Timothy seed.....	48 "	
Turnips.....	50 "	45

“2. A bag of any article mentioned in this subsection shall mean, unless a bag by measure is specially agreed upon, that number of Dominion standard pounds of such article which is shown in this subsection opposite the name of such article, namely:—

	Artichokes.....	75 pounds.
	Beets.....	70 “
	Carrots.....	70 “
	Onions.....	75 “
10	Parsnips.....	60 “
	Potatoes.....	80 “
	Turnips.....	70 “

9. Section 338 of the said Act is repealed and the following is substituted therefor:—

15 “**338.** A barrel of potatoes shall mean, unless a barrel of specified size, kind or content by measure is specially agreed upon, one hundred and sixty-five Dominion standard pounds of potatoes.”

10. Chapter 15 of the statutes of 1911 is repealed.

1911, c. 15
repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 78.

An Act to amend the Inspection and
Sale Act.

First reading, January 24, 1912.

MR. FOSTER.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 79.

An Act respecting the Alberta Railway and Irrigation 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.
1900, c. 79;
1903, c. 187;
1904, c. 43;
1905, c. 52;
1906, c. 53;
1911, c. 32.

5 **1.** The limit to the amount of the securities which the Alberta Railway and Irrigation Company, hereinafter called "the Company," may issue and secure under sections 136 to 146, both inclusive, of *The Railway Act*, with respect to the lines of railway which the Company has been authorized to construct, shall be thirty thousand dollars per mile, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed: Provided that no powers granted under this Act shall be exercised so as to impair or prejudice any vested rights of the holders of the Company's securities outstanding at the date of the passing of this Act.

Issue of securities for purposes of railway.

Proviso.

25 **2.** The Company may use the proceeds of any of the securities authorized by this Act in acquiring or redeeming, pro tanto, any of the now outstanding mandatory securities of the Company.

Use of proceeds.

30 **3.** When all mandatory securities of the Company now outstanding have been acquired or redeemed by the Company, or by the Canadian Pacific Railway Company, the present lessees of the Company's railways, (who are here-

When securities are first preferential claim on railways.

yb authorized, as such lessees, to acquire or redeem such securities, or any part thereof), the securities by this Act authorized shall, subject to the provisions of section 141 of *The Railway Act*, be taken and considered to be the first preferential claim and charge upon the Company's railways, 5 and the franchise, undertaking, tolls and income, rents and revenues, and the real and personal property thereof at any time acquired, save and except the assets, property, rents and revenue of the Company which may be excepted under section 139 of *The Railway Act*, according to the 10 terms of any mortgage which may be given by the Company to secure such securities.

THE HOUSE OF COMMONS
OF CANADA.

BILL 79.

An Act respecting the Alberta Railway
and Irrigation Company.

First reading, January 25, 1912.

(PRIVATE BILL.)

MR. BUCHANAN.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 80.

An Act respecting Dominion Trust Company, Limited, and to change its name to "Dominion Trust Company."

WHEREAS Dominion Trust Company, Limited, has by Preamble.
its petition represented that it is incorporated by
letters patent of the province of British Columbia, sub-
sequently confirmed and extended by chapter 59 of the
5 statutes of 1908 of British Columbia, for the purposes and B. C., 1908,
c. 59.
with the powers in the said letters patent and Act men-
tioned, 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
10 advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The name of Dominion Trust Company, Limited, Change of
name.
hereinafter called "the Company" is changed to "Dom-
inion Trust Company;" but such change of name shall not
15 in any way impair, alter or affect the rights or liabilities of
the Company, nor in any wise affect any suit or proceeding
now pending, or judgment existing, either by, or in favour
of, or against the Company, which, notwithstanding such Saving of
rights.
change in the name of the Company, may be prosecuted,
20 continued, completed and enforced as if this Act had not
been passed.

2. The Company is hereby declared to have the capacity Powers as
trustee.
to carry on its business throughout Canada and elsewhere,
and as trustee or otherwise may receive, hold and convey
25 any property which becomes vested in it in the due carry-

- Directors. **6.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.
- Lines of railway described. **7.** The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches, from a point in any of the townships twenty-five to twenty-nine, range one, west of the fourth meridian, in the province of Alberta, thence northeasterly in the city of Saskatoon, in the province of Saskatchewan, thence northeasterly to a point in or about townships fifty-two to fifty-six on the easterly boundary of the province of Saskatchewan, thence north-easterly to the Pas in the Northwest Territories. 5 10
- 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. 15
- Special powers. **9.** The Company may, for the purposes of its undertaking, construct, acquire, and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and may construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith. 25 30
- Vessels.
- Wharfs, docks.
- Hotels. **10.** The Company may, for the purposes of its undertaking, construct, acquire, or lease buildings for hotels and 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 and manage parks and summer and pleasure resorts with the approval expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer and pleasure resorts are situated, and may lease the same. 35 40
- Parks.
- Transmission and delivery of power and electricity. **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 or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and 45

THE HOUSE OF COMMONS OF CANADA.

BILL 81.

An Act to incorporate the High River, Saskatchewan
and Hudson Bay Railway Company.

WHEREAS a petition has been presented praying that Preamble.
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
5 Senate and House of Commons of Canada, enacts as follows:—

1. H. N. Sheppard, F. Crandell, T. E. LeClaire, C. A. Gigot and G. D. Stanley, all of High River, in the province of Alberta, together with such persons as become share-
10 holders in the company, are incorporated under the name of "The High River, Saskatchewan and Hudson Bay
Railway Company," hereinafter called "the Company." Incorporation.
Corporate name.

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

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

4. The head office of the Company shall be at High
River, in the province of Alberta. Head office.

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

Limitation. 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. 5

Agreements with other companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of 10 the purposes specified in the said section 361, enter into agreements with all or any of the following companies, namely:—the High River and Hudson Bay Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company and the Canadian 15 Northern Railway Company.

THE HOUSE OF COMMONS
OF CANADA.

BILL 81.

An Act to incorporate the High River,
Saskatchewan and Hudson Bay
Railway Company.

First reading, January 25, 1912.

(PRIVATE BILL.)

MR. MARTIN,
(Regina).

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 82.

An Act to incorporate the Northern Territorial
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
5 Senate and House of Commons of Canada, enacts as follows:—

Preamble

1. William Theophilus Stuart, of the city of Toronto, in the province of Ontario, gentleman, George Ernest Holmes, physician, and Russell Wilson, gentleman, both of
10 the city of Saskatoon, in the province of Saskatchewan, Herbert George Harvey Neville, of the city of Edmonton, in the province of Alberta, engineer, and Livius Percy Sherwood, of the city of Ottawa, barrister-at-law, together with such persons as become shareholders in the company, are
15 incorporated under the name of "The Northern Territorial Railway Company," hereinafter called the "Company."

Incorporation.

Corporate name.

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

Provisional directors.

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

Capital stock.

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

Head office.

5. The annual meeting of the shareholders shall be held
25 on the first Monday in September.

Annual meeting.

Number of
directors.

6. The number of directors shall be not less than three, 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 at or near Fort Churchill on Hudson bay, thence westerly to a point on the north side of Lake Wollaston, in the province of Saskatchewan, thence westerly to a point at or near the south shore of Lake Athabasca, in the province of Alberta, thence westerly and north of the Peace River Block, thence southwesterly by the most feasible route through the Rocky Mountains to a point, or points on the Pacific coast at or near Port Essington, or at or near the Portland channel; and from a point on the said railway near its crossing of the Athabasca river, in the province of Alberta, thence southerly to a point at or near Fort McMurray, thence southerly at or near Lac La Biche, thence by the most feasible route to the city of Edmonton.

Consent of
municipal-
ities.

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.

Special
powers.

Vessels.

9. The Company may, for the purposes of its undertaking, construct, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels, boats and ferries for the conveyance of cars, passengers, merchandise and cargoes on all lakes, rivers, and other navigable waters in connection with its undertaking; and may enter into agreements with the owners of such vessels, boats and ferries for any of such purposes, and may generally carry on the business of ship owners and carriers by water in connection with its undertaking, and may, subject to the provisions of *The Railway Act*, make and collect charges for all services connected therewith.

Charges.

Warehousing
and
forwarding.

Rates and
charges.

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.

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 or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and may receive, transfer, 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.

Transmission and delivery of power and electricity.

Approval by Railway Commission.

12. 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.

13. The securities issued by the Company in respect of its railway shall not exceed forty 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.

14. In addition to the securities authorized by section 13 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.

Issue of securities for purposes other than railway.

Limitation.

Telegraph
and
telephone
lines.

15. 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 the companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies. 5 10

Tolls or
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. 15

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.

Agreements
with other
companies.

16. 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 all or any of the following companies, namely:— the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Calgary and Edmonton Railway Company and the Canadian Northern Railway Company. 20 25

S2.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 82.

An Act to incorporate the Northern
Territorial Railway Company.

First reading, January 25, 1912.

(PRIVATE BILL.)

Mr. MCKAY.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

Section 16 of the said Act is repealed, and the following is substituted therefor:—
"16. If a dam is erected in section 2 of this Act is not completed by the Company on or before the thirty-first day of December, nineteen hundred and fourteen, the power of navigation conferred upon the Company by Parliament shall cease and be null and void as regards such dam."

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

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act respecting the Saskatchewan Power 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:—

- 1.** Section 2 of chapter 154 of the statutes of 1908 is amended by striking out all the words after the word "river" in the sixth line thereof, and substituting the following therefor:—"Provided that, either during or after the construction of such dam or dams, such arrangements shall be made and maintained free of charge by the Company for the transmission of timber, saw logs, of lumber, and for free navigation by vessels of all kinds, as may be required by the Governor in Council."
- 2.** Subsection 2 of section 3 of the said Act is amended by inserting the words "or because of" immediately after the word "for," in the second line thereof, and by adding at the end of the said subsection the following:—"and the Company shall in all respects conform to such plans so approved, unless the Governor in Council shall thereafter in like manner approve of any variation thereof."
- 3.** Subsection 3 of section 3 of the said Act is amended by inserting the words "or because of," immediately after the word "for," in the fifth line thereof.

Preamble.

1908, c. 154.

S. 2 amended.

Construction of dams.

Passage of timber and boats.

S. 3 amended.

Deposit of plans.

Approval of Governor in Council.

S. 3 amended.

Taking of lands.

THE HOUSE OF COMMONS OF CANADA.

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New s. 16.

Time for completion of dam.

4. Section 16 of the said Act is repealed, and the following is substituted therefor:—

“16. If a dam, as described in section 2 of this Act, is not completed by the Company on, or before, the thirty-first day of December, nineteen hundred and fourteen, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as regards such dam.”

THE HOUSE OF COMMONS OF CANADA.

BILL 83.

An Act respecting the Saskatchewan Power Company.

First reading, January 25, 1912.

(PRIVATE BILL.)

MR. MCKAY.

THE HOUSE OF COMMONS OF CANADA.

BILL 84.

An Act respecting certain patents of Thos. D.
Rambaut.

WHEREAS Thomas D. Rambaut of the city of New ^{Preamble.}
York, in the state of New York, one of the United
States, has by his petition represented that on the seventh
day of May, in the year of our Lord one thousand nine
5 hundred and seven, letters patents were issued to Ernest
William Cooke of Waukesha, in the state of Wisconsin,
one of the United States, bearing the numbers 105096,
105097, 105098, 105099, 105100, 105101, for processes for
preserving vegetables by removing the water only and
10 leaving behind all other ingredients; that the said letters
patent granted to the said Ernest William Cooke his execu-
tors, legal representatives and assigns for the period of
eighteen years from the date thereof, the exclusive right
and privilege of making, constructing, using and lending to
15 others to be used in the Dominion of Canada, the said
inventions, which said letters patents were issued under the
seal of the Patent Office; that prior to the said issue thereof,
to wit on the sixth day of September, one thousand nine
hundred and six, the said Ernest William Cooke sold,
20 assigned and transferred to the said Thomas D. Rambaut
all his right and title to make application to the Patent
Office for issuance of letters patent covering the processes
and apparatuses described in the application theretofore
made to the Commissioner of Patents; that the said
25 Thomas D. Rambaut was of the opinion that a further
assignment of the right and title of the said Ernest William
Cooke was necessary; that the said further assignment
was impossible owing to the mortal illness and death of the
said Ernest William Cooke and the doubt as to who were

his heirs and legal representatives; that the said Thomas D. Rambaut is now advised that the said assignment of the sixth day of September, one thousand nine hundred and six, was good and sufficient and conveyed to him the right of the said Ernest William Cooke, which said assign- 5
 ment was registered in the Patent Office on the sixteenth day of September, one thousand nine hundred and eleven; that the said Thomas D. Rambaut is now in default respect-
 ing the manufacture of the devices covered by the said patents as provided by section 38 of *The Patent Act*, and 10
 the said patents have therefore become null and void; that the said Thomas D. Rambaut has acted in good faith throughout, and would have taken the necessary steps to comply with the provisions respecting manufacture had he been aware that the assignment to him by the said Ernest 15
 William Cooke was a good and valid assignment in accordance with the terms of *The Patent Act*; and whereas the the said Thomas D. Rambaut has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His 20
 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
 and
 manufacture.

R. S., c. 69.

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the failure to construct or manufacture in Canada the inventions patented 25
 under the said patents shall not be deemed to have affected the validity of the said patents, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of two years from the passing of this Act, and such extension shall have the same effect as if 30
 applied for and granted within the time prescribed by *The Patent Act*.

Power to
 receive
 petitions and
 make orders.

2. 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 35
 Act, receive petitions for the making of, and may make, orders that the said patents instead of being subject 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* 40
Act.

Saving of
 rights
 acquired.

3. If any person, other than any licensee, has, in the period between the expiry of two years from the date of the said patents and the sixteenth day of November, one thousand nine hundred and eleven, commenced to manufac- 45
 ture use or sell the inventions covered by the said patents,

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 84.

An Act respecting certain patents of
Thos. D. Rambaut.

First reading, January 25, 1912.

(PRIVATE BILL.)

MR. AMES.

OTTAWA
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1911-12

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

THE HOUSE OF COMMONS OF CANADA.

BILL 85.

An Act to amend the Lord's Day Act.

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

1. Section 12 of chapter 153 of the Revised Statutes, R.S., c. 153, 5 1906, is amended by adding thereto the following paragraph: s. 12 amended.
“(y). The work of musicians in churches, church parades, funerals, Bible classes and other purposes of a like nature.” Works not prohibited.

2. Section 6 of the said Act is amended by inserting S. 6 amended.
after the word “process,” in the fourth line thereof, the 10 words “or as cooks or waiters in restaurants or hotels.” Substituted holiday.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 85.

An Act to amend the Lord's Day A

First reading, January 29, 1912.

MR. VERVILLE.

OTTAWA
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1911-12

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

THE HOUSE OF COMMONS OF CANADA.

BILL 86.

An Act to amend the Railway Act.

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

1. Subsection 1 of section 30 of *The Railway Act*, chapter 37 of the Revised Statutes, 1906, is amended by inserting the following paragraph immediately after paragraph (g):—
- “(gg). With respect to the length of sections required to be kept in repair by employees of the company, and with respect to the number of employees required for each section.”
- R.S., c. 37,
s. 30 amended
Regulations
by Board.
Length of
sections and
number of
employees.
- 5
10

THE HOUSE OF COMMONS
OF CANADA.

BILL 86.

An Act to amend the Railway Act.

First reading, January 29, 1912.

MR. MACDONELL.

OTTAWA
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1911-12

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

THE HOUSE OF COMMONS OF CANADA.

BILL 87.

An Act to amend the Industrial Disputes
Investigation Act, 1907.

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

5 **1.** Section 60 of *The Industrial Disputes Investigation* 1907, c. 20
Act, 1907, chapter 20 of the statutes of 1907, is amended by s. 60
adding thereto the following subsection:— amended.

“2. This section shall not apply to any benefit paid or Lockout or
given by a trade union to a member thereof, or received strike.
from such union by such member.” Trade union
benefits.

THE HOUSE OF COMMONS OF CANADA.

BILL 88.

An Act to provide for the appointment of a Tariff Commission.

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 Tariff Commission Act*. Short title.

INTERPRETATION.

- 2.** In this Act, unless the context otherwise requires,—
- 5 (a) "Commission" means the Tariff Commission provided for by this Act; Definitions.
"Commis-
sion."
- (b) "commissioners" means the members of the Tariff Commission; "Commis-
sioners."
- 10 (c) "Minister" means the Minister of Finance; "Minister."
(d) "goods" means products, wares and merchandise or "Goods."
movable effects of any kind, including, but without limiting the generality of the foregoing, horses, cattle and other animals.

CONSTITUTION.

- 3.** There shall be a Commission to be called the Tariff Commission, consisting of three members appointed by the Governor in Council. Constitution
of Commis-
sion.

- 2.** One of the commissioners shall be appointed chairman and another vice-chairman by the Governor in Council, and
20 at sessions of the Commission the chairman shall preside, and in his absence the vice-chairman. Chairman
and vice-
chairman.

- Term of office. 3. Each commissioner shall hold office for a period of five years from date of his appointment, but may be removed by the Governor in Council at any time for cause.
- Re-appointment. 4. A commissioner, on the expiration of his term of office, shall be eligible for re-appointment. 5

DUTIES OF COMMISSION.

- Duties of Commission. 4. In respect of goods produced in or imported into Canada the Commission shall, under the direction of the Minister, make inquiry as to—
- Raw materials. (a) the price and cost of raw materials in Canada and elsewhere, and the cost of transportation thereof from the place of production to the place of use or consumption; 10
- Production. (b) the cost of production in Canada and elsewhere;
- Transportation. (c) the cost of transportation from the place of production to the place of use or consumption, whether in Canada or elsewhere; 15
- Labour. (d) the cost, efficiency and conditions of labour in Canada and elsewhere;
- Prices. (e) the prices received by producers, manufacturers, wholesale dealers, retailers and other distributors in Canada and elsewhere; 20
- Conditions affecting cost and price. (f) all conditions and factors which affect or enter into the cost of production and the price to the consumers in Canada;
- In other countries. (g) generally, all the conditions affecting production, manufacture, cost and price in Canada as compared with other countries, 25
and report to the Minister.
- Inquiry desired by Minister. 2. The Commission shall make inquiry into any other matter, upon which the Minister desires information, in relation to any goods which, if brought into Canada or produced in Canada, are subject to or exempt from duties of customs, and shall report to the Minister. 30
- Inquiry into combinations which enhance prices. 3. The Commission may be empowered by the Governor in Council to hold an inquiry under section 12 of *The Customs Tariff, 1907*, in the same manner as the judge of the Exchequer Court or any other judge therein referred to may be so empowered, and the said section shall include and apply to the Commission as if it were therein expressly named. 35 40
- Inquiry into matters referred by Governor in Council. 4. It shall also be the duty of the Commission to inquire into any other matter or thing in relation to the trade or commerce of Canada which the Governor in Council sees fit to refer to the Commission for inquiry and report.
- Inquiries to be summary, and 5. Inquiries under this section shall be conducted in a summary manner, and the respective reports to be made 45

pursuant to its provisions, accompanied by a copy of the evidence, if any, taken in connection with the inquiry, shall succinctly state the results thereof. report succinct.

POWERS OF COMMISSION.

5. The commissioners shall have the power of summoning 5 before them any witnesses, and of requiring them to give evidence on oath, or on solemn affirmation if they are persons entitled to affirm in civil matters, and orally or in writing, and to produce such documents and things as the commissioners deem requisite to the full investigation of the matters 10 into which they are appointed to examine. Power to summon witnesses, take evidence, and produce documents.
2. The commissioners shall have the same power to enforce the attendance of witnesses, and to compel them to give evidence, as is vested in any court of record in civil cases. Compellable evidence.
3. One commissioner shall have power to conduct any 15 inquiry under subsection 1 and subsection 2 of the next preceding section and may, for the purposes of such inquiry, exercise the powers conferred upon the commissioners by subsections 1 and 2 of this section. Powers of one commissioner.
4. Two commissioners shall have power to conduct any 20 inquiry under subsections 3 and 4 of the next preceding section and may, for the purposes of such inquiry, exercise the powers conferred upon the commissioners by subsections 1 and 2 of this section. Power of two commissioners.
5. For the purposes of any inquiry under this Act, the 25 commissioners may obtain information, which in their judgment is authentic, otherwise than under the sanction of an oath or affirmation, and use and act upon such information. Power to proceed on other than sworn evidence.
6. Should evidence or information in its nature confidential, 30 relating to the business or affairs of any person, firm or corporation, be given or elicited in the course of any inquiry, the evidence or information shall not be made public by the Commission in such a manner as to be available for the use 35 of any business competitor or rival of the person, firm or corporation, respectively, but this subsection shall not apply to an inquiry under subsection 3 of section 4 of this Act. Confidential evidence or information not to be made public.
7. Inquiries under this Act shall, whenever practicable, 40 be conducted at some suitable place in the city of Ottawa, but the commissioners may, in their discretion, conduct such inquiries, either in whole or in part, in any other place in Canada, and, with the consent of the Minister, in any place outside of Canada. Inquiries to be in Ottawa, but power to hold them elsewhere.
8. The commissioners shall hold their sessions and con- 45 duct their proceedings in such manner as may seem to them most convenient for the speedy and efficient discharge of their duties. Sessions and conduct of proceedings.

SECRETARY.

Secretary to Commission.	6. There shall be a secretary to the Commission, appointed by the Governor in Council.	
Duties.	2. It shall be the duty of the secretary—	
	(a) to attend all inquiries at which evidence under oath is taken, and to keep a record of all proceedings thereat;	5
	(b) to have the care and custody of all records, books and documents belonging to or appertaining to the work of the Commission;	
	(c) to perform such other duties as may be assigned to him by the commissioners.	10
Absence of secretary.	3. In the absence of the secretary from any cause, the commissioners may appoint from the persons employed by the Commission an acting secretary, who shall perform the duties of the secretary.	
Acting secretary.		

STAFF.

Officers, clerks and employees.	7. There shall be employed in the service of the Commission such officers, clerks and other employees as the commissioners, with the approval of the Governor in Council, see fit to appoint, and they shall respectively receive such salaries or remuneration as may be approved by the Governor in Council upon the recommendation of the commissioners.	15 20
Salaries.		
Technical or special assistants.	2. The Governor in Council may, on the recommendation of the commissioners, appoint one or more persons having technical or special knowledge of any of the matters into which inquiry under this Act may be made, to assist the commissioners in making such inquiries, and the remuneration and period of service of such persons shall, on the like recommendation, be as the Governor in Council determines.	25
Salaries and period of service.		
Suspension and dismissal.	3. The commissioners may, on their own motion, suspend or dismiss any officer, clerk, employee, or other person appointed under the authority of this section.	30

SALARIES.

Salaries of commissioners.	8. The chairman of the Commission shall be paid an annual salary of seven thousand five hundred dollars and the other two members shall each be paid an annual salary of seven thousand dollars.	
Salary of secretary.	2. The secretary shall be paid an annual salary, to be fixed by the Governor in Council, not exceeding three thousand dollars.	35
Payment of salaries and travelling expenses.	3. All salaries and actual and reasonable travelling expenses, and all other expenses incident to the carrying out of the provisions of this Act, shall be payable out of any appropriation granted to His Majesty by Parliament to defray the same.	40

RESIDENCE AND CONDITIONS OF EMPLOYMENT.

9. The commissioners, the secretary and other officers, ^{Residence of officials.} clerks and employees shall reside in the city of Ottawa, or within five miles therefrom, or such other distance therefrom as the Governor in Council prescribes, and they shall 5 severally devote their whole time to the respective duties ^{No other employment.} imposed under the provisions of this Act, to the exclusion of any other office or employment.

2. This section shall not apply to persons appointed under ^{Exception.} subsection 2 of section 7 of this Act.

FRANKING PRIVILEGE.

10 10. All letters or mailable matter addressed to the Com- ^{Franking privilege.} mission or the secretary at Ottawa, or sent by the Commission or the secretary from Ottawa, shall be free of Canada postage under such regulations as are made in that regard by the Governor in Council.

REGULATIONS.

15 11. The Governor in Council may make such regulations, ^{Regulations.} not inconsistent with this Act, as he deems proper for the carrying out of the provisions and objects thereof.

88.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 88.

An Act to provide for the appointment
of a Tariff Commission.

First reading, January 30, 1912.

MR. WHITE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 89.

An Act to incorporate the Bank of Saskatchewan.

WHEREAS the persons hereinafter named have by their Preamble.
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
5 and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. The persons hereinafter named, together with such Incorporation.
others as become shareholders in the corporation by this
Act created, are hereby constituted a corporation by the
10 name of "The Bank of Saskatchewan," hereinafter called Corporate
"the Bank." name.

2. The capital stock of the Bank shall be one million Capital.
dollars.

3. The chief office of the Bank shall be at the city of Chief
15 Moose Jaw, in the province of Saskatchewan. office.

4. Henry Y. Smith, Richard Henry Clarke, Lewis M. Provisional
Rosevear, Harry F. Stirk, Richard Loney, Joseph A. directors.
Caulder, J. Edward Caldwell and J. Wright Sifton, all of
the city of Moose Jaw, in the province of Saskatchewan,
20 shall be the provisional directors of the Bank.

5. This Act shall, subject to the provisions of section 16 Duration of
of *The Bank Act*, remain in force until the first day of June, charter.
in the year one thousand nine hundred and fourteen, R.S., c. 29,
s. 16.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 89.

An Act to incorporate the Bank of
Saskatchewan.

First reading, January 31, 1912.

(PRIVATE BILL.)

MR. KNOWLES.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 90.

An Act respecting the Esquimalt and Nanaimo 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.

1884, c. 6;
1886, c. 15;
1888, c. 89;
1905, c. 90;
1906, c. 92;
1908, c. 107;
1910, c. 97;

1. The Esquimalt and Nanaimo Railway Company, hereinafter called "the Company," may lay out, construct and operate a branch line of railway from a point at or near the north fork of Oyster River, on the railway authorized to be constructed by paragraph (a) of section 2 of chapter 92 of the statutes of 1906, thence in a northerly and north-westerly direction to a point at or near Hardy Bay on the west coast of Vancouver Island.

Line of railway authorized.

2. The Company may commence the construction of any of the branch lines of railway authorized by section 9 of chapter 14 of the statutes of 1884 of British Columbia, by paragraph (a) and (d) of section 2 of chapter 92 of the statutes of 1906 of Canada, and by section 1 of this Act, within two years after the passing of this Act, and may complete any of the said branch lines of railway and put them in operation within five years after the passing of this Act; and if any such branch line of railway is not so commenced, or is not so completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such branch line of railway as then remains uncompleted.

Time for construction of railways limited.

3. The Company shall not, after the passing of this Act, construct any portion of any of the branch lines of railway which, by chapter 14 of the statutes of 1884 of British

Construction of certain lines of railway limited.

Columbia, it was authorized to build to settlements on the east coast of Vancouver Island, unless the Company is first authorized so to do by the Governor in Council.

Issue of securities.

4. The securities issued by the Company in respect of its railway shall not exceed fifty thousand dollars per mile of its railway constructed or under contract to be constructed. 5

Repeal.

5. Section 3 of chapter 92 of the statutes of 1906 and chapter 107 of the statutes of 1908 are repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 90.

An Act respecting the Esquimalt and
Nanaimo Railway Company.

First reading, January 31, 1912.

(PRIVATE BILL.)

MR. CLEMENTS.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 91.

An Act respecting the Kootenay 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.

1901, c. 71;
1904, c. 91;
1909, c. 98.

1. The Kootenay Central Railway Company, hereinafter called "the Company," may lay out, construct and operate a railway from a point on the British Columbia Southern Railway at or near Galloway in the province of British Columbia, in a southerly direction to a point on the International boundary.

Line of railway authorized.

2. The Company may commence the construction of the railway authorized by section 1 of this Act, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said railway is not so commenced, or is not so 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 the said railway as then remains uncompleted.

Time for construction or railway limited.

3. The Company may continue the construction of the railways authorized by chapter 71 of the statutes of 1901, and complete the said railways and put them in operation

Time for construction of railways extended.

within five years after the passing of this Act, and if the said railways are not so completed and put in operation within the said period, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then 5 remains uncompleted.

Issue of securities.

4. The securities issued by the Company in respect of the railways authorized by chapter 71 of the statutes of 1901, and by this Act, shall not exceed forty thousand dollars per mile of the said railways constructed or under 10 contract to be constructed.

Repeal.

5. Chapter 98 of the statutes of 1909 is repealed.

THE HOUSE OF COMMONS OF CANADA.

BILL 91.

An Act respecting the Kootenay Central Railway Company.

First reading, January 31, 1912.

(PRIVATE BILL.)

MR. CLEMENTS.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 92.

An Act respecting the Manitoba and North Western Railway Company of Canada.

5 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.

1893, c. 52;
1902, c. 71;
1904, c. 94;
1907, c. 104;
1908, c. 126;
1909, c. 102;
1910, c. 121.

10 1. The Manitoba and North Western Railway Company of Canada, hereinafter called "the Company," may lay out, construct and operate the following lines of railway, namely:—

Branch lines authorized.

(a) From a point on its main line at or near Harrowby in a southeasterly and southerly direction to a point at or near Hamiota, in the province of Manitoba;

15 (b) From a point on its main line at or near Theodore in a westerly direction to a point on the Pheasant Hills branch of the Canadian Pacific Railway between Govan and Lanigan, in the province of Saskatchewan.

20 2. The Company may, within two years after the passing of this Act, commence the construction of any of the lines of railway authorized by section 1 of this Act and may complete, within five years after the passing of this Act, any of the said lines of railway, and if within the said periods respectively any such line of railway is not so commenced, or is not so completed and put in operation, the powers of
25 construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such line of railway as then remains uncompleted.

Time for construction limited.

Branch lines
authorized.

2. The Company may, within two years after the passing of this Act, commence the construction of, and may, within five years after the passing of this Act, complete and put in operation the following lines of railway which it is authorized to construct by section 1 of chapter 126 of the statutes of 1908, and by section 1 of chapter 121 of the statutes of 1910:—

(a) From a point on its main line at or near Theodore in a southeasterly direction to a junction with its Russell branch in township twenty or twenty-one, range twenty-eight, west of the principal meridian, in the provinces of Saskatchewan and Manitoba;

(b) From a point at or near Birtle to a point at or near Hamiota in the province of Manitoba;

(c) From a point at or near Russell in the province of Manitoba in a northerly or northeasterly direction to a point at or near where the Shoal river enters lake Winnipegosis.

2. If, within the said periods respectively, any of the said lines of railway is not so commenced, or is not so 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 such line of railway as then remains uncompleted.

Time for
construction
extended.

3. The Company may, within five years after the passing of this Act, complete and put in operation the railway which it is authorized to construct by section 1 of chapter 94 of the statutes of 1904, from a point at or near Churchbridge on the Company's main line southerly to a junction with the Pheasant Hills branch of the Canadian Pacific Railway at or near Cutarm Creek, in the province of Saskatchewan; and if the said railway is not so completed and put in operation within the said period the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Issue of
securities.

4. The Company may issue securities upon its railway to an amount not exceeding thirty thousand dollars per mile of railway constructed or under contract to be constructed.

Repeal.

5. Section 3 of chapter 121 of the statutes of 1910 is repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 92.

An Act respecting the Manitoba and
North Western Railway Company of
Canada.

First reading, January 31, 1912.

(PRIVATE BILL.)

MR. CASH.

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 HOUSE OF COMMONS OF CANADA.

BILL 93.

An Act respecting the United Gold Fields of British
Columbia (Limited).

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

1. Section 1 of chapter 110 of the statutes of 1902 is
amended by striking out the words "range four," in the
sixth and seventh lines thereof, and substituting therefor
the words "ranges three and four."

Preamble.
1902, c. 110.

S. 1
amended.
Line of
railway.

THE HOUSE OF COMMONS
OF CANADA.

BILL 93.

An Act respecting the United Gold
Fields of British Columbia (Limited).

First reading, January 31, 1912.

(PRIVATE BILL.)

MR. BUCHANAN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 94.

An Act respecting the Windsor, Chatham and
London 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 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,
1906, c. 183;
1908, c. 171.

1. The Windsor, Chatham and London Railway Com-
pany may commence the construction of its railway, and
expend fifteen per cent of the capital stock thereon, within
two years after the passing of this Act, and may complete
10 the said railway and put it in operation within five years
after the passing of this Act; and if the said railway is not
so commenced and such expenditure be not so made, or if
the said railway is not so completed and put in operation,
15 within the said respective periods, the powers of construc-
tion 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.

Time for
construction
of railway
extended.

2. The said company may issue securities in respect of
its several undertakings not exceeding the amount of twenty-
20 five thousand dollars per mile of single track of the lines
of railway authorized to be constructed by it; but securi-
ties may be issued only in proportion to the length of the
said lines of railway constructed or under contract to be
constructed.

Issue of
securities
for all
undertakings.

25 3. The said company may also issue securities to the
extent of seventy-five per cent of its actual expenditure upon

Issue of
securities
on bridge.

terminals and ferries to be limited by expenditure.

or in respect of any bridge, including the approaches thereto, across the river Thames, terminals and station buildings and grounds in or adjacent to the city of Windsor and the city of London, and ferries for operating on the Detroit river, including wharf accommodation at or near Windsor and the approaches thereto. 5

Repeal. Securities.

4. Section 14 of chapter 183 of the statutes of 1906 is repealed.

THE HOUSE OF COMMONS OF CANADA

BILL 94

An Act respecting the Windsor, Chatham and London Railway

Enacted by Her Majesty the King in Council, at Ottawa, this 27th day of January, 1912.

1. The Windsor, Chatham and London Railway Company, Limited, is hereby incorporated under the laws of the Province of Ontario, and the name of the company is hereby changed to the Windsor, Chatham and London Railway Company, Limited.

2. The capital of the company shall be \$1,000,000, divided into 100,000 shares of \$10 each.

3. The company shall have the right to acquire, hold, use, and dispose of any real and personal property, movable and immovable, in the Province of Ontario, and in any other Province or Territory of the Dominion of Canada, and in any foreign country, for the purposes of the company.

THE HOUSE OF COMMONS OF CANADA.

BILL 94.

An Act respecting the Windsor, Chatham and London Railway Company.

First reading, January 31, 1912.

(PRIVATE BILL.)

MR. WILCOX.

THE HOUSE OF COMMONS OF CANADA.

BILL 95.

An Act respecting the National Transcontinental
Railway.

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

1. This Act may be cited as *The National Transconti- Short title.
5 nental Railway Act, 1912.*

2. From and out of the Consolidated Revenue Fund of Payments
Canada there may be paid such sums as may be sufficient to agreement
discharge the obligation of His Majesty the King, acting in between
respect of the Dominion of Canada, under the provisions Crown and
of paragraph 5 of the Schedule to chapter 24 of the statutes G. T. P. Ry.
10 of 1904, in accordance with the interpretation of those Co.
provisions by the judgment of the Lords of the Judicial
Committee of the Privy Council on the appeal of *The
Grand Trunk Pacific Railway Company v. The King*, from
15 the Supreme Court of Canada, delivered the second day
of November one thousand nine hundred and eleven.

3. During the time in which sums are paid under the Statement
authority of this Act a detailed statement of such sums to be laid
shall be laid before both Houses of Parliament within before
20 fifteen days after the commencement of each session thereof, Parliament.
and such statement shall include all payments not previously
submitted.

THE HOUSE OF COMMONS
OF CANADA.

BILL 95.

An Act respecting the National
Transcontinental Railway.

First reading, February 2, 1912.

MR. WHITE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 96.

An Act to amend the Manitoba Grain Act.

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

1. Subsection 1 of section 99B of *The Manitoba Grain Act*, chapter 83 of the Revised Statutes, 1906, as the said subsection is enacted by section 41 of chapter 45 of the statutes of 1908, is amended by inserting after the word "collapse", in the third line thereof, the words "to places where grain is damp and liable to become damaged, or for the purpose of distributing seed grain to any point in the Western Division."
- R.S. c. 83,
s. 99B¹
amended.
Supply of
cars in
certain
cases.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 96.

An Act to amend the Manitoba Grain
Act.

First reading, February 2, 1912.

MR. FOSTER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 97.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

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

1. This Act may be cited as *The Montreal Harbour Advances Act, 1912.* Short title.

2. The Governor in Council may, from time to time, advance and pay to the Corporation of the Harbour Commissioners of Montreal, hereinafter called "the Corporation," in addition to the moneys, if any, heretofore authorized to be advanced to the Corporation by the Governor in Council by any Act, and which have not at the date of the passing of this Act been so advanced, such sums of money, not exceeding in the whole the sum of six million dollars, as are required:—

\$6,000,000
may be
advanced to
Harbour
Commis-
sioners.

(a) to pay off and retire debentures of the Corporation of the par value of six hundred thousand dollars maturing at the rate of two hundred thousand dollars per annum in each of the years one thousand nine hundred and thirteen, one thousand nine hundred and fourteen and one thousand nine hundred and fifteen; and,

To retire
debentures.

(b) to enable the Corporation to complete the construction of the terminal facilities of the port of Montreal for which plans, specifications and estimates have been approved by the Governor in Council before the passing of this Act, and to construct such additional terminal facilities as are necessary to properly equip the said port.

For terminal
facilities.

Interest on debentures, during construction of works, to be charged to capital account.

3. During the period of construction of the terminal facilities mentioned in the preceding section, the interest payable on the debentures deposited with the Minister of Finance and Receiver General under the provisions of this Act in respect of such terminal facilities shall be deemed to be money required to enable the Corporation to complete and to construct the said respective terminal facilities, and to be part of the cost of construction thereof, and the said interest may be paid out of the sum of six million dollars which the Governor in Council is authorized to advance under the provisions of this Act.

Time limit for construction.

4. For the purposes of this Act the period of construction of such terminal facilities shall terminate on such dates as the Governor in Council shall fix and determine.

Plans of works to be approved.

5. No such advances shall be made in respect of terminal facilities unless the plans, specifications and estimates for the works to be performed by the Corporation, and on which the money so to be advanced is to be expended, have first been submitted to and approved by the Governor in Council.

Debentures to be deposited with Minister of Finance.

6. The Corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the advance so made, (which debentures the Corporation is hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such advance is made, and shall be repayable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of three and one-half per cent per annum, such interest to be payable half-yearly, on the first day of July and the first day of January in each year.

Payment of loans.

7. The principal and interest of the sums advanced under the authority of this Act to the Corporation shall, subject to the provisions of section 2 of this Act, be paid by the Corporation out of its revenue mentioned in section 8 of chapter 10 of the statutes of 1896 (First Session), and shall be a charge upon the said revenue in the same manner and to the same extent as if the sums so advanced had been borrowed by the Corporation under the said chapter 10.

1896 (1st Sess.), c. 10.

97.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 97.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

First reading, February 2, 1912.

MR. HAZEN.

OTTAWA

Printed by C. H. PARMBLER

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 98.

An Act respecting the Canadian Pacific Railway Company.

WHEREAS a petition has been presented praying that ^{Preamble.}
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. This Act may be cited as *The Canadian Pacific Railway Act, 1912.* ^{Short title.}

2. The Canadian Pacific Railway Company, hereinafter called "the Company" may lay out, construct, and operate the following lines of railway, namely:— ^{Lines of railway authorized.}

(a) From a point at or near Hawarden on its Moosejaw Northwesterly branch in a northerly direction to a point at or near Floral, or Cheviot, on its Pheasant Hills branch, or to a point between these two places in the province of Saskatchewan;

(b) From a point on its Estevan-Forward branch, in township 2 or 3, range 12, 13 or 14, west of the second meridian in a westerly and northwesterly direction to a junction with its Weyburn-Lethbridge branch in township 5 or 6, range 25 or 26, west of the second meridian, in the province of Saskatchewan;

(c) From a point at or near Sedgewick on its Hardisty subdivision in a southerly direction to a point in township 39 or 40, range 11, 12 or 13, west of the fourth meridian, in the province of Alberta;

(d) In a northwesterly and northerly direction from a point on its line from Wilkie, authorized by paragraph (b) of section 3 of chapter 74 of the statutes of 1907, to a point near the north Saskatchewan river in township 51, 52, 53, 54, 55 or 56, range 1, 2, 3, 4, 5, 6, 7 or 8, west of the fourth meridian, in the provinces of Saskatchewan and Alberta; 5

(e) From a point at or near Kipp on its Crow's Nest subdivision in an easterly and northeasterly direction to a point in township 12 or 13, range 12 or 13, west of the fourth meridian, in the province of Alberta; 10

(f) From the northwesterly terminus of the line from Asquith authorized by paragraph (b) of section 3 of the statutes of 1910, in a westerly and northwesterly direction, to a point at or near Battleford, in the province of Saskatchewan;

(g) From a point at or near Irricana in an easterly and southeasterly direction to a point in township 20 or 21, range 11, 12, 13, or 14, west of the fourth meridian, in the province of Alberta. 15

Time for
construction
limited.

3. The Company may, within two years after the passing of this Act, commence to construct any of the lines of railway authorized by section 2 of this Act, and may, within five years after the passing of this Act, complete any of the said lines of railway; and if, within the said periods, respectively, any such line is not so commenced, or is not so 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 of railway as then remains uncompleted. 25

Time for
construction
of railway
extended.

4. 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 is authorized to construct by section 1 of chapter 55 of the statutes of 1900, section 1 of chapter 95 of the statutes of 1908 (as amended by section 2 of chapter 81 of the statutes of 1910), and paragraph (a) of section 3 of chapter 81 of the statutes of 1910, namely:— 35

(a) From a point at or near Osborne on the Company's Pembina Mountain branch, thence westerly and southwesterly to some point on the line of the Manitoba Southwestern Colonization Railway between Cartwright and Boissevain, in the province of Manitoba; 40

(b) From a point at or near Otterburne on the Company's Emerson branch, thence southeasterly to a point at or near Stuartburn in township 2, range 6, east of the principal meridian, in the province of Manitoba; 45

(c) From a point at or near Killam, or some point in township 44, range 12, 13 or 14, west of the fourth meridian, in a northwesterly direction to a point at or near Strathcona, in the province of Alberta;

5 (d) From a point in township 22, range 2, east of the principal meridian, in a northerly or northwesterly direction to a point in township 34, range 5, 6 or 7, west of the principal meridian, in the province of Manitoba.

If within the said periods respectively any of the said lines is not so commenced, or is not so 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.

15 5. The Company may, make the terminus of the branch, which it was authorized to construct by section 1 of the said chapter 55 of the statutes of 1900, as amended by section 1 of chapter 73 of the statutes of 1905, and by section 5 of chapter 81 of the statutes of 1910, namely its Lauder west-
20 erly branch, at or near Stoughton on its Arcola branch, instead of a junction with the northwest extension of the Souris branch, or a point at or near Griffin, as in the said sections provided. Time for making of terminus extended.

25 6. The Company may issue bonds, debentures or other securities to the amount of thirty thousand dollars per mile, constructed or under contract to be constructed, of the lines of railway authorized by this Act. Issue of securities.

2. Any such issue shall be made according to the provisions of the Company's Special Act as defined by section 2 of *The Railway Act*, and in all respects not inconsistent with those provisions, the provisions of section 136 (except those of subsection 1 thereof) to 146, both inclusive, of *The Railway Act*, shall also apply to any such issue. R.S., c. 37.

35 7. In lieu of the bonds, the issue of which is authorized by this Act, the Company, being first authorized so to do by at least two-thirds of the votes of the shareholders present or represented at an annual meeting, or at a special meeting of the shareholders duly called for the purpose, may issue consolidated debenture stock to the same amount, the holders of which shall have equal rights in all respects and shall rank Issue of debenture stock.
40 pari passu with holders of such consolidated debenture stock as the Company has, prior to the passing of this Act, been authorized to issue.

45 8. Chapter 35 of the statutes of 1892 is amended by inserting after the word "bonds" in the fifth line of section 6 thereof, the words "and debenture stock." 1892, c. 35 amended.

Agreement
with province
of N. B.
respecting a
certain line
of railway.

9. 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 an agreement with the province of New Brunswick in respect of a line of railway extending from a point at or near Norton on the Intercolonial Railway to a point at or near Minto in the said province, and may lease the said railway, but the approval of the shareholders to such agreement and lease shall be sufficient if the provisions of section 6, chapter 47, of the statutes of 1890 are complied with.

5
10

Agreement
with other
company.

10. 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 an agreement with the Quebec Central Railway Company, and may lease the railway and undertaking of the said Quebec Central Railway Company, but the approval of the shareholders of the Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

15

Repeal.

11. Section 4 of chapter 81 of the statutes of 1910 is repealed.

20

THE HOUSE OF COMMONS
OF CANADA.

BILL 98.

An Act respecting the Canadian Pacific
Railway Company.

First reading, February 8, 1912.

(PRIVATE BILL.)

MR. McCRAVY.

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 HOUSE OF COMMONS OF CANADA.

BILL 99.

An Act respecting the Ottawa, Montreal and Eastern Railway Company.

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

Preamble.
1910, c. 141.

1. The Ottawa, Montreal and Eastern Railway Company,
hereinafter called "the 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 so commenced and such expenditure
is not so made, or if the said railway 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 the said railway as then remains
uncompleted.

Time for
construction
of railway
extended.

2. The Company may commence the construction of the
bridge or tunnel across the St. Lawrence river, authorized
by section 10 of chapter 141 of the statutes of 1910, within
three years after the passing of this Act; and if the said
bridge or tunnel is not so commenced, or if the said bridge
or tunnel is not completed within seven years after the pass-
ing of this Act, the powers of construction, for such bridge
or tunnel, granted to the Company by Parliament shall

Time for
construction
of bridge or
tunnel
extended.

THE HOUSE OF COMMONS OF CANADA

BILL 99

cease and be null and void as respects so much of the said bridge or tunnel as then remains uncompleted.

1910, c. 141
amended.

3. Section 13 of chapter 141 of the statutes of 1910 is repealed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 99.

An Act respecting the Ottawa, Montreal
and Eastern Railway Company.

First reading, February 8, 1912.

(PRIVATE BILL.)

MR. BICKERDIKE.

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

THE HOUSE OF COMMONS OF CANADA

BILL 100.

An Act for the aid and encouragement of Agriculture.

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

1. This Act may be cited as *The Agricultural Aid Act*. Short title.
- 5 **2.** The Governor in Council may, in any year, and upon such terms and subject to such conditions as are prescribed by order in council, grant to any province, for the encouragement of agriculture, a subsidy not exceeding such sum as may in such year be voted by Parliament for that purpose. Annual grant to encourage agriculture.
- 10 **3.** The Minister of Agriculture, with the authority of the Governor in Council, may enter into an agreement with the Government of any province setting forth the terms upon which such subsidy is granted, and prescribing the conditions under which and the purposes for which it Agreement with province.
- 15 shall be expended.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 100.

An Act for the aid and encouragement
of Agriculture.

First reading, February 12, 1912.

MR. BURRELL.

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 HOUSE OF COMMONS OF CANADA.

BILL 103.

An Act to amend the Government Works Tolls Act.

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

- 5 1. Paragraph (a) of section 2 of *The Government Works Tolls Act*, chapter 40 of the Revised Statutes, 1906, is repealed and the following is substituted therefor:—

“(a) ‘Minister’ means the Minister of Public Works.” “Minister” defined.

Note.—Under *The Public Works Act* (R.S. c. 39, s. 9, para. (b)) the Minister of Public Works has the management of works for facilitating the transmission of timber, and matters incident thereto. *The Government Works Tolls Act* (which it is now proposed to amend) gives the Minister of Inland Revenue authority respecting similar works. It is desired that the Minister of Public Works shall have the authority in both cases.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 103.

An Act to amend the Government
Works Tolls Act.

First reading, February 14, 1912.

MR. MONK.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 104.

An Act to amend the Civil Service Act.

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

1. Section 9 of *The Civil Service Amendment Act, 1908*, 1908, c. 15 amended.
5 chapter 15 of the statutes of 1908, is repealed and the following is substituted therefor:—

“9. There shall be a Commission, to be called the Civil Service Commission, consisting of three members appointed by the Governor in Council. Civil Service Commission.

Note.—This clause increases the number of commissioners from *two* to *three*.

10 “2. The Governor in Council may appoint one of the Chairman members of the Commission to be its chairman.

Note.—This clause is new.

“3. [Except as provided in subsection 2 of this section,] Status of commissioners.
the rank, standing and salary of each commissioner shall be those of a deputy head of a department; and each
15 commissioner shall hold office during good behaviour, but shall be removable by the Governor General on address of the Senate and House of Commons.”

Note.—The words within brackets are new; the remainder of the clause is s-s. 2 of the present section 9.

2. This Act shall come into force on a day to be fixed Commencement of Act.
by proclamation of the Governor in Council.

THE HOUSE OF COMMONS
OF CANADA.

BILL 104.

An Act to amend the Civil Service Act.

First reading, February 14, 1912.

MR. BORDEN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 105.

An Act to amend the Post Office Act.

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

1. Section 3 of chapter 20 of the statutes of 1911 is 1911, c. 20,
5 amended by adding thereto the following subsections:— s. 3 amended.
- “4. A person who has not passed the required Civil Temporary
Service examination may be employed temporarily as a rail- railway mail
way mail clerk for a period of not more than one year, at clerks.
a salary of five hundred dollars a year and mileage allowance.
- 10 “5. Any person employed temporarily as a railway mail Appointment
clerk at the time this Act comes into force may, if his services to permanent
have been satisfactory, and if recommended by the Super- staff.
intendent and the Controller of the Railway Mail Service, be appointed to the permanent staff at a salary not exceeding Salary.
15 the amount he is then receiving, irrespective of age and not-
withstanding the fact that he has not passed the Civil Service Examination
examination, but he shall not be eligible for an increase until not required
he passes the Civil Service examination required for appoint- except for
ment to the permanent staff in addition to the case examina- increase.
20 tion.
- “6. No person shall be eligible for appointment to the Qualification
permanent staff of railway mail clerks unless he has passed of permanent
either the Civil Service preliminary or qualifying examina- railway mail
tion, or is a graduate of the Royal Military College or of a clerks.
25 university in Canada; and no railway mail clerk who, on
appointment, had passed the preliminary examination only
shall be eligible for a higher salary than one thousand dollars
until he passes the qualifying examination, or unless he is
a graduate of the Royal Military College or of a university
30 in Canada.”

THE HOUSE OF COMMONS
OF CANADA.

BILL 105.

An Act to amend the Post Office Act.

First reading, February 15, 1912.

MR. PELLETIER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 106.

An Act to amend the Civil Service Act.

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

1. That part of Schedule B to *The Civil Service Act*, R.S., c. 16,
5 chapter 16 of the Revised Statutes, 1906, which relates to Sch. B
clerks in City Post Offices and the Offices of Post Office amended.
Inspectors and Superintendents of Railway Mail Service, and
section 1 of chapter 6 of the statutes of 1909, are repealed 1909, c. 6.
and the following is substituted for the said part of Schedule
10 B, and such repeal and substitution shall take effect and
become operative as from the first day of April, one thousand
and nine hundred and twelve:—

15 “*Clerks in City Post Offices, in Offices of Post Office Inspectors,
in Offices of Superintendents of Railway Mail Service,
and in the Money Order Exchange Office.*”

“CLERKS IN CITY POST OFFICES.

Salaries of
clerks in
city post
offices.

“SALARIES.

“Third class clerks—

Grade B, on appointment, \$500, with annual increases Third class
of \$100 to \$800. clerks.

20 Grade A, on appointment, \$800, with annual increases
of \$50 to \$1,000.

“Second class clerks—

Grade B, on appointment, \$1,000, with annual increases Second class
of \$50 to \$1,200. clerks.

	Grade A, on appointment, \$1,200, with annual increases of \$50 to \$1,400.	
First class clerks.	“First class clerks— Grade B— In post offices having a revenue of seventy-five thousand dollars and over— On appointment, \$1,400, with annual increases of \$50 to \$1,600. There shall be not more than one clerk in Grade B for every complete unit of seventy-five permanent employees, employed in any office.	5 10
	Grade A— In post offices having a revenue of one hundred thousand dollars and over— On appointment, \$1,600, with annual increases of \$50 to \$1,800. There shall be not more than one clerk in Grade A for every complete unit of one hundred permanent employees, employed in any office.	15
Chief clerks.	“Chief clerks— In post offices having a revenue of five hundred thousand dollars and over— On appointment, \$1,800, with annual increases of \$100 to \$2,200. Such clerks shall have specific duties, and there shall be not more than one chief clerk for every complete unit of two hundred permanent employees, employed in any office.	20 25
Office superintendents.	“Office superintendents— In post offices having a revenue of eight hundred thousand dollars and over— On appointment, \$1,800, with annual increases of \$100 to \$2,500.	30
Statutory increase.	“The salary of any superintendent who was appointed prior to the first day of April nineteen hundred and twelve may be increased by an amount equal to the difference between the salary he is receiving on the first day of April, nineteen hundred and twelve, and the salary he would have been receiving on that date had he been given an annual increase of \$100 from the time of appointment, provided the amount does not exceed the maximum of the class, as established by this Schedule, or his salary may be increased by such lesser amount as the Governor in Council determines.	35 40
	“CLERKS IN OFFICES OF POST OFFICE INSPECTORS, IN OFFICES OF SUPERINTENDENTS OF RAILWAY MAIL SERVICE, AND IN THE MONEY ORDER EXCHANGE OFFICE.	

"SALARIES.

- "Third class clerks—
 Grade B, on appointment, \$500, with annual increases of \$100 to \$800. Salaries of certain post office clerks.
- 5 Grade A, on appointment, \$800, with annual increases of \$50 to \$1,000.
- "Second class clerks—
 Grade B, on appointment, \$1,000, with annual increases of \$50 to \$1,200.
- 10 Grade A, on appointment, \$1,200, with annual increases of \$50 to \$1,400.
- "First class clerks—
 Grade B, on appointment, \$1,400, with annual increases of \$50 to \$1,600.
- 15 Grade A, on appointment, \$1,600 with annual increases of \$50 to \$1,800.
- "Any stamper and sorter in a city post office, and any clerk in any of the said offices, who, on the first day of April, one thousand nine hundred and twelve, was in the fourth or junior third class, shall rank as a third class clerk, Grade
 20 B, from that date. Classification of stampers, sorters and clerks.
- "Any clerk in any of the said offices, who, on the first day of April, one thousand nine hundred and twelve, is— Classification of clerks.
- (1) in the senior third or junior second class shall rank as a third class clerk, Grade A from that date; Third class.
- 25 (2) in the senior second class, and who has had less than fifteen year's service, temporary and permanent, shall rank as a second class clerk, Grade B, from that date, and if his salary is less than the maximum of Grade B, and he was a senior second class clerk prior to the first day of October,
 30 nineteen hundred and nine, it may be raised forthwith to the maximum of the grade; Senior second class under 15 years service.
- (3) in the senior second class, and who has had fifteen year's service and over, temporary and permanent, shall rank as a second class clerk, Grade A, from that date, and, if
 35 his salary is less than the minimum of Grade A, it shall be raised forthwith to that minimum, and, if he was a senior second class clerk prior to the first day of October, nineteen hundred and nine, it may be raised forthwith to the maximum of the grade; Senior second class over 15 years service.
- 40 (4) in the first class, and whose salary is less than \$1,400, shall rank as a first class clerk, Grade B, from that date, and his salary shall be raised forthwith to the minimum of the grade; First class under \$1,400.
- (5) in the first class, and who is in receipt of a salary of
 45 \$1,400 and under \$1,500, shall rank as a first class clerk, Grade B, from that date, and his salary shall be raised forthwith to the maximum of the grade; First class between \$1,400 and \$1,500.

First class
\$1,500 and
over.

(6) in the first class, and whose salary is \$1,500 and over, shall rank as a first class clerk, Grade A, and if his salary is less than the minimum of the grade, it shall be raised forthwith to that minimum.

First class
clerks in city
post offices.

“First class clerks, who, on the first day of April, one thousand nine hundred and twelve, are employed in city post offices, shall be clerks in the first class, under this Schedule, notwithstanding any limitations as to revenue or number of permanent employees heretofore expressed.”

Statutory
increases.

2. Any clerk referred to in that part of Schedule B, as amended by this Act, who has been for a period of one year and upwards in receipt of the maximum salary of his class, as heretofore established, and whose salary is less than the maximum of the grade in which he is placed under this Act, shall be eligible for the increase of salary as provided by the said Schedule B, as amended by this Act, from the first day of April, one thousand nine hundred and twelve, and, if he has served for any period less than one year at such maximum salary, he shall be eligible for the increase as soon as he has completed one year's service at such maximum salary.

Qualification
of third class
clerks in city
post offices.

3. No person shall be eligible for the position of third class clerk in a city post office unless he has passed either the Civil Service preliminary or the qualifying examination, or is a graduate of the Royal Military College or of a university in Canada, and, except as to persons in the Civil Service at the time this Act comes into force, no third class clerk, who, on appointment, had passed the preliminary examination only, shall be eligible for promotion to a higher class until he passes the qualifying examination, or unless he is a graduate of the Royal Military College or of a university in Canada.

Qualification
of other
third class
clerks.

4. No person shall, hereafter, be eligible for the position of third class clerk in the offices of Post Office Inspectors, Superintendents of Railway Mail Service, or in the Money Order Exchange office unless he has passed the Civil Service qualifying examination, or is a graduate of the Royal Military College or of a university in Canada.

Temporary
employees.

5. Any person may be employed temporarily in a city post office, in the office of a Post Office Inspector, Superintendent of the Railway Mail Service, and in the Money Order Exchange Office, who has not passed the Civil Service examination for the outside service, for a period of not more than one year, at a salary of five hundred dollars a year.

6. Temporary helpers may, hereafter, be employed in any branch of the outside service of the Post Office Department, when necessary, irrespective of age and who have not passed the Civil Service examination, at a per diem allowance to be fixed by the Postmaster General, but not to exceed two dollars and fifty cents a day, but no temporary helper shall be employed for more than six months in any one calendar year.

Temporary employees.

7. Except as provided in sections 5 and 6 hereof, no temporary clerk or other temporary employee shall, hereafter, be taken into employment in the outside service of the Post Office Department.

Limitation.

8. Section 4 chapter 30 of the statutes of 1909 is repealed and the following is substituted therefor:—

1909, c. 30, new s. 4.

4. No person over thirty-six years of age, other than those at present temporarily in the post office service, shall be eligible for appointment as a third class clerk in a city post office, or as letter carrier or box collector."

Eligibility for appointment.

9. Any person employed temporarily in the outside service of the Post Office Department at the time this Act comes into force may, if his services have been satisfactory and if recommended by the head of the office in which he is employed, be appointed to the permanent staff at a salary not exceeding the amount he is then receiving, irrespective of age, and notwithstanding the fact that he has not passed the Civil Service examination, but he shall not be eligible for an increase until he passes the said examination.

Appointment of temporary employees to permanent staff.

10. All persons appointed under this Act shall be on probation for a period of one year, and if not recommended for permanent appointment at the expiration of that period, their services may be dispensed with.

Probation.

11. Schedule B to *The Civil Service Act* is further amended by adding after the words "Railway Mail Clerks" in the first line of the paragraph which relates to mileage allowance for railway mail clerks, the words "and other post office employees when employed as sorters in the postal cars."

R.S., c. 16, Sch. B amended.

Sorters in mail cars.

12. That part of the said Schedule which relates to Post Office Inspectors, Assistant Post Office Inspectors and Superintendents of the Railway Mail Service, as the said part is enacted by section 10 of chapter 8 of the statutes of 1910, is amended by adding thereto the following paragraph:—

Sch. B amended.

1910, c. 8.

Salaries of
inspector,
assistant
inspector or
super-
intendent.

“The salary of an Inspector, Assistant Inspector, or Superintendent of the Railway Mail Service, who was appointed prior to the first day of April, one thousand nine hundred and ten, may be increased by an amount equal to the difference between the salary he is receiving on the first 5 day of April, one thousand nine hundred and twelve, and the salary he would have been receiving on that date had he, on appointment, been given the minimum salary as established by section 10 of chapter 8 of the statutes of 1910, with an annual increase of one hundred dollars, or 10 his salary may be increased by such lesser amount as the Governor in Council determines.”

1910, c. 8, s.
10 amended.

13. Section 10 of chapter 8 of the statutes of 1910 is amended by striking out the second and third paragraphs under the heading “*Post Office Inspectors, Assistant Post Office Inspectors, and Superintendents of the Railway Mail Service,*” and substituting therefor the following:— 15

Salary of
assistant
post office
inspector.

“The salary of an Assistant Post Office Inspector, on appointment, shall be one thousand eight hundred dollars, with increases of one hundred dollars per annum up to a 20 maximum of two thousand five hundred dollars. If the salary of any assistant post office inspector is at present less than one thousand eight hundred dollars it shall forthwith be increased to that minimum.

Salary of
superinten-
dent, rail-
way mail
service.

“The salary of a superintendent of the railway mail service, 25 on appointment, shall be one thousand eight hundred dollars, with annual increases of one hundred dollars up to a maximum of two thousand five hundred dollars. If the salary of any such superintendent is at present less than one thousand eight hundred dollars it shall forthwith be in- 30 creased to that minimum.”

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 106.

An Act to amend the Civil Service Act.

First reading, February 15, 1912.

MR. PELLETIER.

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 HOUSE OF COMMONS OF CANADA.

BILL 111.

An Act to authorize the payment of a subsidy to the Collingwood Shipbuilding Company, Limited.

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

- 5 **1.** The agreement between the Collingwood Shipbuilding Company, Limited, and His Majesty, dated the twenty-seventh day of July, one thousand nine hundred and ten set out in the Schedule hereto, is hereby ratified and confirmed. Agreement in Schedule confirmed.
- 10 **2.** In accordance with the said contract, the Governor in Council may, out of the Consolidated Revenue Fund, authorize the payment to the said company of a subsidy Payment of subsidy authorized. of nine thousand two hundred and eight dollars and ninety-six cents per annum for twenty years, the said amount being three per cent of the cost of Dry Dock number Two
15 constructed by the said company, as set out in the agreement in the Schedule hereto.

SCHEDULE.

This Agreement made in duplicate this 27th day of the month of July, in the year of Our Lord one thousand nine hundred and ten. Between the Collingwood Shipbuilding
20 Company, Limited, a body corporate having their chief place of business at the town of Collingwood, in the province of Ontario, in the Dominion of Canada, represented herein

by Thomas Long, Esq., Vice-President, and Sanford H. Lindsay, Secretary of the said Company, hereinafter called "the Company," of the first part; and His Majesty King George the Fifth, represented herein by the Honourable William Pugsley, Minister of Public Works of Canada, of the second part.

Whereas the said Company has submitted plans and specification of a dry dock, designated as dry dock No. 2, which is now under construction in the Harbour of Collingwood, in the province of Ontario, and has applied for a subsidy of three per cent on the total cost of the proposed dock, during a period of twenty years as provided for by an Act of Parliament entitled "An Act to encourage the construction of dry docks" and cited as "The Dry Dock Subsidies Act" (7-8 Edward VII, Chap. 24, 1908).

And whereas the said Company is prepared to proceed with the construction of the said dock and carry out the works to successful termination according to plans and specification hereto annexed and which form part of this present Agreement.

And whereas by virtue of an Order in Council passed on the eleventh day of May, A.D. 1910, plans and specification have been approved and authority given to enter into an Agreement with the said Company, respecting the payment of the subsidy applied for as aforesaid.

Now this Indenture witnesseth that in consideration of the covenants and agreements on the part of His Majesty hereinafter contained, the said Company covenants and agrees with His Majesty as follows:—

1. That the Company shall continue to carry on the work of construction of the dock and appurtenant works at Collingwood, Ontario, in such a manner so that the whole shall be completed in every respect and ready to receive and repair vessels at Collingwood, Ontario, on or before the 15th day of December, A.D. 1910; it being expressly understood and agreed that the date above mentioned shall be deemed to be of the essence of this Agreement.

2. That all the works required to be done and performed by the said Company, under this present Agreement shall be done in strict conformity with the specification and plans hereto annexed and also according to detail drawings which shall from time to time be furnished to the Chief Engineer, which are hereby declared to be and form part of this Agreement, and to the satisfaction of the said Minister of Public Works.

3. That the works shall be at all times subject to inspection by an officer of the Department of Public Works, and in the event of a dispute or difference arising relative to the works, the Chief Engineer or the Minister of Public

Works, shall be the sole arbitrator, and the decision of said Chief Engineer approved by the said Minister shall be final and conclusive.

4. That the said dock, after completion, must be kept in repair and working order by the said Company to the satisfaction of the Minister of Public Works who shall have the power and right to have it examined from time to time by one of his officers.

5. That the said Company shall not discriminate against any vessel wishing to use the said dock.

6. And it is understood and agreed that no tolls or rates shall be charged by the Company in respect of the letting or hiring, operation or use of the said dock, or of space therein, or of any works connected therewith, until the Company has submitted a tariff of such tolls or rates and the said tariff has been approved by the Governor in Council; and no by-laws, rules, regulations or conditions respecting such letting, hiring, operation or use, shall have any force or effect until so submitted and approved.

The Governor in Council may at any time disallow the whole or any part of such tariff or of such by-laws, regulations or conditions, and may require the Company within a specified time to submit such tariff or substitute other tariff, tolls, by-laws, rules, regulations or conditions in lieu thereof, and, in default, may fix such tariff or prescribe others.

7. That should the dock, at any time, be found not to be in a condition of repair and working order, His Majesty, represented as aforesaid, shall be at liberty to exercise the powers in Him vested under sections 8 and 9 of 7-8 Edward VII, Chap. 24 of said Act.

8. That His Majesty, represented as aforesaid, may at any time, direct the re-delivery of possession of the said dock to the Company.

9. And His Majesty in consideration of the premises hereby covenants with the said Company that after the completion of the said dock according to said plans and specification and after the first year's operation of the said dock and the filing in the Office of the said Minister of Public Works a statement verified to the satisfaction of the said Minister and including a statement in detail of the receipts from every source and the expenditures for the year, it will be paid an annual subsidy of 3 per cent per annum for twenty years (20) upon the sum of Three hundred and six thousand nine hundred and sixty five dollars and eighteen cents (\$306,965.18) being the cost of the work based upon the report of the said Chief Engineer of Public Works: provided always that the payment of said subsidy of three per cent per annum, representing an

amount of nine thousand two hundred and eight dollars and ninety six cents (\$9,208.96) is fully dependent on the fulfilment by the said Company of all the conditions under which said subsidy is to be paid, and also subject to ratification and confirmation by Parliament of Canada at its next session.

10. That His Majesty, represented as aforesaid, shall be held harmless and indemnified by the said Company against any accident or damages of any kind which may occur during or after the construction of the said dock.

11. And the said Company will be held and bound to pay to the workmen engaged in the said works, such wages as are generally accepted as current in each trade, for competent workmen, in the district where the work is carried out.

12. That after the first year's operation of the said dock and annually thereafter during the subsistence of the present Agreement, the said Company hereby binds itself to file in the Office of the said Minister of Public Works a statement, verified to the satisfaction of the said Minister, setting forth the financial statement of the Company and including a statement in detail of the receipts from every source, and the expenditures for the year.

13. In this Agreement wherever the Company is mentioned or referred to, such mention or reference shall include the executors, administrators and assigns of the said Company, and wherever His Majesty is referred to, such reference shall include His Heirs and Successors.

In witness whereof, the said Collingwood Shipbuilding Company, Limited, has executed these presents by the President and the Secretary respectively, under the seal and by order of the Board of Directors thereof, and these presents have been signed and sealed by the said Minister and countersigned by the Secretary of the Department of Public Works of Canada, on behalf of His Majesty.

Signed and sealed in the presence of :

A. MAUDE ANDERSON.

THOMAS LONG,
Vice-President.
SANFORD H. LINDSAY, (SEAL)
Secretary.

Signed and sealed in the presence of

J. A. CHASSÉ.

J. B. HUNTER,
Deputy Minister of
Public Works.
R. C. DESROCHERS, (SEAL)
Secretary.

SPECIFICATION for the construction of Dry Dock, No. 2,
at Collingwood, Ontario.

Under this Specification Dry Dock No. 2 will be constructed on the premises of the Collingwood Shipbuilding Company, Limited, in what was formerly known as the Town Slip at the foot of Hurontario Street, at Collingwood, Ontario.

The dock will be of the following dimensions:—

Length over all.....	420 feet.
Width at coping level.....	104 “
Width at bottom of dock.....	100 “
Depth on the sill at low water....	16 “

Low water is $1\frac{1}{2}$ feet below the zero of the gauge fixed to the gate of Dry Dock No. 1.

The work to be done in connection with the construction of Dry Dock No. 2 may be described as follows:—

1. The construction of a substantial earth cofferdam with a toe of concrete bags and stone on the lake side.
2. The removal of the existing walls of the Town Slip, including masonry, crib work, rock and earth excavations necessary to permit of the construction of Dock No. 2.
3. The excavation to the proper depths of the areas occupied by the masonry, the dock proper, the entrance walls, the wells, etc., etc.
4. The construction of the whole of the masonry or concrete work, in accordance with plans which have been filed with the Department of Public Works.
5. The fixing in place of all bottom timbers, keel blocks, bilge blocks, necessary for the efficient working of the dock.
6. The construction of all entrance works partly of concrete, partly of crib work with concrete superstructure.
7. The construction of a caisson gate having a clear opening of 93 feet.
8. The removal of the cofferdam, and of all filling between the entrance walls to a depth of at least 18 feet.
9. The construction of a gantry crane with proper steel frame for elevated tramway, equipped with an electric hoist and conveyor.
10. The proper and efficient electric lighting of the dock and premises.
11. The necessary excavation and construction for the laying of pipes 46 inches in diameter to connect the dock with the existing pumping station, enabling the dock to be pumped in less than 2 hours.

12. The providing of a locomotive crane, of air pipe lines, of air pneumatic tools, water pipe lines, air compressors, and generally of all that may be required for repairing vessels.

Concrete Work.

The whole of the concrete used in the construction of the dock is to be composed of one part of approved Portland cement, two parts of sand, and three to four parts of stone broken to pass through a 2-inch ring.

The cement used for concrete to be up to the standard of the Public Works Department.

The walls of the dock to be 8 feet in width at the bottom and 3 feet wide at the top. The concrete bottom of the dock to be not less than 2 feet, and to conform to the rock formation below.

The whole of the work is to be done by the Collingwood Shipbuilding Company, Limited, by day labour under the supervision of a competent engineer, and upon plans approved by an engineer designated by the Minister of Public Works, who will be the judge as to the nature, quality and quantity of the different classes of works to be built under this Specification.

The Plans submitted to the Department of Public Works generally show the extent and character of the work to be performed.

The dock to be in working order on or before the fifteenth day of December, 1910.

In witness whereof the said Collingwood Shipbuilding Company, Limited, has executed the Specification hereto annexed, for the construction of Dry Dock No. 2, at Collingwood, Ontario, by the President and the Secretary respectively, under the seal and by the order of Directors thereof, and these presents have been signed and sealed by the Minister and countersigned by the Secretary of the Department of Public Works of Canada, on behalf of His Majesty.

Signed and sealed in the presence of A. MAUDE ANDERSON.	}	THOMAS LONG,
		Vice-President.
		SANFORD H. LINDSAY, (SEAL)
		Secretary.

Signed and sealed in the presence of J. A. CHASSÉ.	}	J. B. HUNTER,
		Dep. Minister of Public Works.
		R. C. DESROCHERS,
		Secretary.

111.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 111.

An Act to authorize the payment of a
subsidy to the Collingwood Shipbuild-
ing Company, Limited.

First reading, February 20, 1912.

MR. MONK.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 113.

An Act to amend the Civil Service Act.

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

1. *The Civil Service Amendment Act, 1908*, is amended by 5 inserting the following section immediately after section 23:—
- “23A. When, after a general election, extra assistance is required in connection with the audit and payment of fees and expenses payable under *The Dominion Elections Act*, the Governor in Council may, on the recommendation of 10 the Minister of Finance, based on the report in writing of the Auditor General that such extra assistance is required, authorize the employment of such number of temporary clerks as are required for such purposes.
- “2. Every such clerk shall, however, before appointment 15 obtain a certificate of qualification from the Commission, to be given with or without examination, as is determined by the regulations of the Commission, that he possesses the requisite knowledge and ability and is duly qualified as to age, health, character and habits.
- 20 “3. No such temporary clerk shall be employed for a period exceeding two years.”
2. This Act shall be held to have come into force on the first day of March, one thousand nine hundred and twelve.
- 1908, c. 15.
Section added.
Temporary election clerks in office of Auditor General.
Certificate of qualification.
Time limited.
Commencement of Act.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 113.

An Act to amend the Civil Service Act.

First reading, February 23, 1912.

MR. WHITE.

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 HOUSE OF COMMONS OF CANADA.

BILL 115.

An Act to provide for the extension of the Boundaries
of the Province of Manitoba.

WHEREAS, on the thirteenth day of July, one thousand ^{Preamble.}
nine hundred and eight, the House of Commons
resolved that the limits of the province of Manitoba should
be increased by the extension of the boundaries of the
5 province northward to the sixtieth parallel of latitude and
north-eastward to the shores of Hudson Bay, as in the
said resolution is more particularly set out, upon such
terms and conditions as may be agreed to by the Legislature
of Manitoba and by the Parliament of Canada;

10 And whereas it is desirable that the financial terms
applicable to the said province, as altered by the increase
of territory aforesaid, should be on a basis of substantial
equality with the financial terms enjoyed by each of the
provinces of Saskatchewan and Alberta under *The Saskat-*
15 *chewan Act* and *The Alberta Act*, respectively, inasmuch
as the area of these respective provinces is approximately
equal to that of the province of Manitoba as by this Act
increased, and inasmuch as each of the said three provinces
at the time of its establishment as a province was without
20 public debt, and inasmuch as the Crown lands, mines and
minerals and royalties incident thereto in the province of
Manitoba are, as is the case in the other two said provinces,
vested in the Crown and administered by the Government
of Canada for the purposes of Canada: Therefore, subject
25 to the consent of the Legislature of Manitoba, His Majesty,
by and with the advice and consent of the Senate and
House of Commons of Canada, enacts as follows:—

SHORT TITLE.

Short title. **1.** This Act may be cited as *The Manitoba Boundaries Extension Act, 1912.*

INTERPRETATION.

Interpretation. "province." "Government." **2.** In this Act, unless the context otherwise requires,—
 (a) "the province" means the province of Manitoba; 5
 (b) "the Government" means His Majesty the King acting in respect of the Dominion of Canada by and through the Governor General in Council.

BOUNDARIES.

Boundaries extended. **3.** The limits of the province are hereby increased so that the boundaries of the province shall be as follows: Commencing where the sixtieth parallel of north latitude 10 intersects the western shore of Hudson Bay; thence westerly along the said parallel of latitude to the north-east corner of the province of Saskatchewan; thence southerly along the easterly boundary of the province of Saskatchewan to the international boundary dividing 15 Canada from the United States; thence easterly along the said international boundary to the point where the said international boundary turns due north; thence north along the said international boundary to a certain monument thereon at or near the north-west angle of the Lake 20 of the Woods; thence continuing due north along the westerly boundary of the province of Ontario, by virtue of "The Canada (Ontario Boundary) Act, 1889," chapter 28 of the statutes of 1889 of the United Kingdom, (the said 25 westerly boundary being the easterly boundary of the province of Manitoba) to the most northerly point of the said boundary common to the two provinces under the said Act; thence continuing due north along the same meridian to the intersection thereof with the centre of the road allowance on the twelfth base line of the system of 30 Dominion Land Surveys; thence north-easterly in a right line to the most eastern point of Island Lake, as shown in approximate latitude $53^{\circ} 30'$ and longitude $93^{\circ} 40'$ on the railway map of the Dominion of Canada published, on the scale of thirty-five miles to one inch, in the year one 35 thousand nine hundred and eight, by the authority of the Minister of the Interior; thence north-easterly in a right line to the point where the eighty-ninth meridian of west longitude intersects the southern shore of Hudson Bay; thence westerly and northerly following the shores of the 40 said Bay to the place of commencement; and all the land

U. K., 1889, c. 28.

embraced by the said description not now within the province of Manitoba, shall, from and after the commencement of this Act, be added thereto and the whole shall, from and after the said commencement, form and be
5 the province of Manitoba.

FINANCIAL PROVISIONS.

4. Inasmuch as the province was not in debt at the time the province was established, it shall be entitled to be paid and to receive from the Government of Canada, by half-yearly payments in advance on the first day of January
10 and July in each year an annual sum of three hundred and eighty-one thousand five hundred and eighty-four dollars and nineteen cents, being the equivalent of interest at the rate of five per cent per annum on the sum of seven million six hundred and thirty-one thousand six hundred
15 and eighty-three dollars and eighty-five cents, the difference between a principal sum of eight million, one hundred and seven thousand five hundred dollars and four hundred and seventy-five thousand eight hundred and sixteen dollars and fifteen cents heretofore advanced by the Government
20 to the province for provincial purposes.

Annual payment to province.

2. This section shall be held to have come into force on the first day of July, one thousand nine hundred and eight, and shall have effect as if the first half-yearly payment thereunder was due to be made on that date.

Commencement of section.

3. There shall be deducted from the aggregate of the sums payable under this section at the commencement of this Act all sums received on and after the first day of July, one thousand nine hundred and eight, by the province from the Government by way of interest on capital allowance
30 in lieu of debt.

Deduction of interest on capital allowance.

5. Inasmuch as under the provisions of this Act the province will not have the public land as a source of revenue, there shall, subject to the provisions hereinafter set out, be paid by the Government to the province, by half-yearly
35 payments in advance, on the first days of January and July in each year, an annual sum based upon the population of the province as from time to time ascertained by the quinquennial census thereof, as follows:—

Compensation to province for public lands.

The population of the province being assumed to be on
40 the first day of July, nineteen hundred and eight, over four hundred thousand, the sum payable until such population reaches eight hundred thousand shall be five hundred and sixty-two thousand five hundred dollars;

Thereafter until such population reaches one million one
45 hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

1885, c. 50
amended.

Transfer of
swamp lands
to Govern-
ment.

2. Section 1 of chapter 50 of the statutes of 1885 is repealed, and all lands (known as swamp lands) transferred to the province under the said section 1, and not sold by the province prior to the time at which the terms and conditions of this Act have been agreed to by the Legislature of the province, shall be re-transferred to the Govern- 5
ment.

Deduction
respecting
swamp lands.

3. The sums payable to the province under subsection 10
1 of this section shall be subject to a deduction at the rate of five per cent per annum upon the difference between the aggregate of the sums for which the said swamp lands were sold by the province and the aggregate of the sums from time to time charged to the province by the Government 15
in connection with the selection, survey and transfer of such lands and the sums expended by the province which may be fairly chargeable to the administration and sale of such swamp lands.

Determina-
tion of
amount.

4. The difference referred to in the next preceding 20
subsection shall be determined by the Governor in Council after audit on behalf of the Government.

Deduction
respecting
lands granted
to Manitoba
University.

5. The sums payable to the province under subsection 1
of this section shall also be subject to a deduction by reason of the allotment of land, to the extent of one hundred and 25
fifty thousand acres, granted as an endowment to the University of Manitoba under section 2 of chapter 50 of the statutes of 1885, to wit, to a deduction of five per cent per annum upon the sum of three hundred thousand dollars.

Commence-
ment of
payments
under s-s. 1.

6. This section shall be held to have come into force, 30
in so far as the provisions directing and affecting the half-yearly payments in advance under subsection 1 of this section are concerned, on the first day of July, nineteen hundred and eight, and shall have effect as if the first half-yearly payment thereunder was due to be made on that 35
date.

Deductions
respecting
indemnity in
lieu of public
lands.

7. There shall be deducted from the aggregate of the sums payable under the next preceding subsection at the commencement of this Act all sums received on and after the first day of July, nineteen hundred and eight, by the 40
province from the Government on account of indemnity in lieu of public lands.

Allowance for
provincial
public
buildings.

8. As an additional allowance in lieu of public land, there shall be paid by the Government to the province, one-half on the first day of July, nineteen hundred and 45
twelve, and one-half on the first day of July, nineteen hundred and thirteen, to assist in providing for the construction of necessary public buildings, two hundred and one thousand seven hundred and twenty-three dollars and

fifty-seven cents, a sum equal to the difference between the total payments made by the Government to each of the provinces of Saskatchewan and Alberta, under *The Saskatchewan Act* and *The Alberta Act*, respectively, for the like purposes and the sums already paid by the Government on account of the construction of the Legislative Buildings and the Government House at Winnipeg.

REAL AND OTHER PROPERTY RIGHTS.

6. All Crown lands, mines and minerals and royalties incident thereto in the territory added to the province under the provisions of this Act, and the interest of the Crown under *The Irrigation Act* in the waters within such territory, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, subject to the provisions of any Act of the Parliament of Canada with respect to road allowances and roads or trails in force immediately before the coming into force of this Act.

Crown lands,
minerals and
waters.

7. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that company surrendered Rupert's Land to the Crown.

Hudson's
Bay
Company.

REPRESENTATION IN THE SENATE.

8. The province shall continue to be represented in the Senate of Canada by four members; provided that such representation may, after the completion of the decennial census of June, nineteen hundred and eleven, be from time to time increased to six by the Parliament of Canada.

Senate
representa-
tion.

COMMENCEMENT OF ACT.

9. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council published in *The Canada Gazette*, but such proclamation shall not be made until after the Legislature of Manitoba shall have consented to the increase of the limits of the province herein provided for, and agreed to the terms, conditions and provisions aforesaid.

Commence-
ment
of Act.

THE HOUSE OF COMMONS
OF CANADA.

BILL 115.

An Act to provide for the extension of
the Boundaries of the Province of
Manitoba.

First reading, February 27, 1912.

MR. BORDEN.

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 HOUSE OF COMMONS OF CANADA.

BILL 116.

An Act to amend the Civil Service Act.

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

5 **1.** *The Civil Service Act*, chapter 16 of the Revised Statutes, 1906, is amended by inserting the following sections immediately after section 39:—

R.S., c. 16.
Sections added.

10 “**39A.** Notwithstanding anything in this Act, a person who has served seven years as a chief clerk in the outside service of the Customs, may be appointed a senior chief clerk, subject to such examination on the duties of office and other qualifications as is prescribed by the deputy head in a report to be concurred in by the head of the department.

Promotion of chief clerk in outside service.

15 “**39B.** Notwithstanding anything in this Act, a person who has served over three years as a clerk in the outside service of the Customs may be appointed a senior clerk, subject to such examination on the duties of office and other qualifications as is prescribed by the deputy head in a report to be concurred in by the head of the department.”

Promotion of clerk in outside service.

20 **2.** That part of Schedule B to the said Act which relates to Customs, and section 8 of chapter 8 of the statutes of 1910, are repealed, and the following is substituted for the said part of the said Schedule B, and such repeal and substitution shall take effect from the first day of April, 25 one thousand nine hundred and twelve:—

Sch. B., Customs, amended.

1910, c. 8, amended

"CUSTOMS.

"Higher Classes.

Salaries of Customs officials.		Salary per annum, from	
	"Collectors.....	\$ 300 to \$4,500	
	"Chief inspector.....	3,200 to 4,000	
	"Inspectors of ports.....	2,000 to 3,000	
	"Assistant inspectors.....	1,600 to 2,000	
	"Chief clerks.....	1,200 to 2,200	5
	"Senior chief clerks.....	2,200 to 2,800	
	"Surveyors.....	1,200 to 2,800	
	"Assistant surveyors (comprising tide sur- veyors, chief landing waiters and chief lockers).....	1,200 to 1,600	10

"Technical Officers.

"Dominion appraisers.....	2,200 to 2,600
"Appraisers.....	1,200 to 2,200
"Assistant appraisers.....	900 to 1,600
"Gaugers.....	900 to 1,600

"Other Classes.

"Senior clerks.....	1,200 to 1,600	15
"Clerks and landing waiters.....	400 to 1,200	
"Examining officers (including preventive officers whose duties are not chiefly clerical, and lockers).....	100 to 1,000	
"Packers and messengers.....	400 to 800	

THE HOUSE OF COMMONS
OF CANADA.

BILL 116.

An Act to amend the Civil Service
Act.

First reading, February 28, 1912.

MR. REID,
(Grenville.)

OTTAWA

Printed by C. H. PARRELL

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 118.

An Act to create the Biological Board of Canada.

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

1. This Act may be cited as *The Biological Board Act*. Short title.
- 5 2. In this Act, unless the context otherwise requires,— Definitions.
 - (a) "Board" means the Biological Board of Canada; "Board."
 - (b) "Minister" means the Minister of Marine and Fisheries. "Minister."
- 10 3. There shall be a body to be called "The Biological Board of Canada," which shall be under the control of the Minister. Board created.
- 15 4. The Board shall consist of two members appointed by the Minister, one appointed by each of the Universities of Dalhousie, Laval, McGill, New Brunswick, Queen's and Toronto, and one appointed by each of such other universities (to be named by the Minister) as may engage in the work of biological research. Constitution of Board.
- 20 5. The Board shall have charge of all biological stations in Canada, and shall have the conduct and control of investigations of practical and economic problems connected with marine and fresh water fisheries, flora and fauna, and such other work as may be assigned to it by the Minister. Duties.

- Annual meeting. **6.** The Board shall meet annually at the city of Ottawa, and at such meetings shall elect one member to be chairman and another to be secretary-treasurer, who shall hold office until the next annual meeting.
- Election of officers.
- Meetings. 2. Other meetings of the Board shall be held at such 5 places and at such times as are necessary for the work of the Board.
- By-laws. **7.** The Board may make by-laws for the conduct of its business, but no by-law shall be in force until it has been approved of by the Minister. 10
- No salaries. **8.** No member of the Board shall receive any payment or emolument for his services, but he shall be repaid all actual, reasonable travelling or other expenses in connection with the work of the Board.
- Expenses repaid.
- Expenditure of money. **9.** From the moneys appropriated by Parliament for 15 the work of the Board, or which the Board may receive through bequest, donation or the sale of specimens of natural history, the secretary-treasurer, under direction of the Board, shall expend such sums as are necessary for the work of the Board. 20
- Annual statement. **10.** A detailed statement of the expenses of the Board up to the close of the preceding fiscal year shall be prepared annually by the secretary-treasurer, and such statement shall be submitted to and be examined by the Auditor General. 25
- Report. **11.** A report upon the work done by the Board shall be made to the Minister as soon as possible after the close of each fiscal year.

THE HOUSE OF COMMONS
OF CANADA.

BILL 118.

An Act to create the Biological Board
of Canada.

First reading, February 29, 1912.

MR. HAZEN.

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

THE HOUSE OF COMMONS OF CANADA

BILL 123.

An Act to amend the Yukon Act.

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

1. His Majesty may, by letters patent under the Great
5 Seal, grant to each of two of the judges of the Territorial
Court of the Yukon Territory now holding office, an annuity
equal to the salary of the office now held by him, which
annuity shall commence immediately after his resignation
and continue thenceforth during his natural life. Provided
10 that if, in the opinion of the Governor in Council, it becomes
necessary or expedient at any time during the continuation
of such annuities that there should be two or more judges
in the said Territorial Court, or in any superior court of record
in and for the said territory, or if any judge of any such court
15 should die, resign or otherwise vacate his office as such judge,
the Governor in Council may appoint either or both of the
judges receiving such annuity as aforesaid a judge or judges
of such court, and if any judge so appointed does not there-
after perform the duties appertaining to such judgeship,
20 such annuity shall forthwith cease and determine; but this
provision shall not affect the authority of the Governor in
Council to appoint any other qualified person to be a judge
of such court.

Annuity
for two
judges.

Territorial
Court.

Proviso as to
performance
of duties if
required.

25 **2.** Sections 46, 47 and 48 of *The Yukon Act*, chapter 63 of
the Revised Statutes, 1906, are repealed and the following is
enacted as section 46 of the said Act:—

R.S., c. 63,
new s. 46.

“**46.** The Court of Appeal of British Columbia is hereby
constituted a court of appeal for the Territory.

Court of
Appeal.

- Jurisdiction. "2. An appeal shall lie from any final judgement of the Territorial Court to the judges of the said Court of Appeal sitting together as a full court where the matter in controversy amounts to the sum or value of five hundred dollars or upwards, or where the title to real estate or some interest therein is in question, or the validity of a patent is affected, or the matter in question relates to the taking of an annual or other rent, customary or other duty or fee, or a like demand of a public or general nature affecting future rights, or in cases of proceedings for or upon mandamus, prohibition or injunction. 5 10
- Powers. "3. The said Court of Appeal and the judges thereof shall have the same powers, jurisdiction and authority with reference to any such appeal and the proceedings thereon as if it were an appeal duly authorized from a like judgement, order or decree made by the Supreme Court of British Columbia, or a judge thereof, in the exercise of its ordinary jurisdiction. 15
- Notice of Appeal. "4. Notice of any such appeal shall be given within twenty days from the day upon which the judgement appealed from is pronounced or given, or within such further time as the Territorial Court may allow. 20
- Execution. "5. Execution of the judgement appealed from shall not be stayed except upon application to the Territorial Court or to the said Court of Appeal or a judge thereof, and upon such terms as may be just. 25
- Quorum. "6. Three judges of the said Court of Appeal shall constitute a quorum for the hearing of appeals from the Territorial Court.
- Procedure. "7. The procedure upon such appeals shall be regulated by the ordinary practice and procedure upon similar appeals coming before the said Court of Appeal, so far as such practice and procedure are applicable and are not inconsistent with anything in this Act, and except in so far as is otherwise provided by general rules made in pursuance of this Act. 30 35
- Rules. "8. The judges of the said Court of Appeal, or any three of them, may make general rules not inconsistent with this Act for regulating the practice and procedure upon appeals from the Territorial Court.
- Appeal to Supreme Court of Canada. "9. An appeal shall lie to the Supreme Court of Canada from the judgement upon any appeal authorized by this Act of the Court of Appeal of British Columbia, wherever such an appeal to the Supreme Court of Canada would have been authorized had the judgement appealed from been delivered by the Court of Appeal of British Columbia in a like case in the exercise of its ordinary jurisdiction upon appeal in respect of cases originating in the courts of the said province." 40 45
- Powers of judge of Territorial Court. **3.** All references in *The Yukon Act* to the judges of the Territorial Court shall be construed as referring to the judge

of the Territorial Court and, except as otherwise provided in the case of appeals, the judge of the Territorial Court shall have all the powers and authority now vested in any or all of the said judges.

5 **4.** Section 103 of the said Act is repealed and the following New s. 103.
is substituted therefor:—

10 “**103.** For the purpose of Part XIX of *The Criminal Code*, the court of appeal from the judgement of a police magistrate in a case where his jurisdiction is dependent upon the provision of the said Part with respect to police magistrates of cities and incorporated towns shall be the Territorial Court, and there shall be an appeal from the Territorial Court to the Supreme Court of Canada.” Court of Appeal under Part XIX of Criminal Code.

15 **5.** When, under the provisions of *The Dominion Contro-* R.S., c. 7.
verted Elections Act, two judges are required for the trial of an election petition in the Yukon Territory, or for the hearing of a special case under the said Act, such judges shall be the judge of the Territorial Court and a judge of the Court of Appeal of British Columbia or of the Supreme Court of Trial of controverted elections.
20 British Columbia, or two judges of the said courts of British Columbia, or either of such courts, and every such judge shall, for the purposes of the said Act, have all the powers of a judge of the Territorial Court.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 123.

An Act to amend the Yukon Act.

First reading, March 7, 1912.

MR. DOHERTY.

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

THE HOUSE OF COMMONS OF CANADA

BILL 124.

An Act to amend the Civil Service Act.

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

5 **1.** Section 11 of chapter 8 of the statutes of 1910, amending Schedule B of *The Civil Service Act*, chapter 16 of the Revised Statutes, 1906, is amended by striking out the fourth and fifth lines of the said section 11 and substituting therefor the following:—

10 “Class 1. When postage collections exceed \$1,000,000, . . . \$2,800 to \$3,500, with annual increases of \$100.”

R.S., c. 16,
Sch. B, and
1910, c. 8,
amended.

Salaries of
assistant
postmasters.

2. The salary of an assistant postmaster, now in Class 1, who was appointed prior to the first day of April, one thousand nine hundred and ten, may be increased—

Increases in
certain cases.

15 (a) by an amount equal to the difference between the salary he received on the first day of April, one thousand nine hundred and twelve, and the salary he would have received on that date if, on appointment, he had been given the minimum salary authorized by section 11 of chapter 8 of the statutes of 1910, with an annual increase of one hundred dollars; or

20 (b) by such lesser amount as the Governor in Council determines.

THE HOUSE OF COMMONS
OF CANADA.

BILL 124.

An Act to amend the Civil Service
Act.

First reading, March 7, 1912.

MR. PELLETIER.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 137.

An Act to amend the Volunteer Bounty Act, 1908.

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

1. This Act may be cited as *The Volunteer Bounty Act*, Short title.
5 1912.

2. Sections 3, 4 and 6 of *The Volunteer Bounty Act, 1908*, 1908, c. 67,
and sections 1, 2 and 3 of chapter 60 of the statutes of 1910, and
are repealed. 1910, c. 60
amended.

3. The Governor in Council may grant to every such Grants of
10 volunteer, or, in the event of his death between the date of land
his enlistment or appointment and the thirty-first day of authorized.
December, one thousand nine hundred and twelve, to his
legal representative, two adjoining quarter-sections of
Dominion lands, available for homestead entry, subject
15 to the conditions herein specified.

4. Every such grant shall be subject to the conditions Conditions.
that the grantee shall select and enter for the said two
quarter-sections in the Dominion Lands Office for the land
district in which they are situated on or before the thirty-
20 first day of December, one thousand nine hundred and
twelve; that he shall perfect his entry by commencing ac-
tually to reside upon and cultivate the land within six
months after the date of entry; and that he shall thereafter
reside upon and cultivate the land for the period, and in
25 accordance with the terms and conditions, prescribed by
the homestead provisions of *The Dominion Lands Act*.

Scrip may
be granted
instead of
land.

5. Any person entitled, under the foregoing provisions, to select and enter, either by himself or by his substitute duly qualified in that behalf as provided in section 5 of *The Volunteer Bounty Act, 1908*, for land as a homestead, may, in lieu thereof, if he or his substitute so chooses, receive scrip 5 for one hundred and sixty dollars, which shall be received from the bearer at its face value in payment of any Dominion lands open for sale: Provided that any person choosing to take scrip shall notify the Minister of the Interior of his choice on or before the thirty-first day of December, one 10 thousand nine hundred and twelve.

Certificates
in Schedule
A cancelled.

6. The time within which the right of location, under the bounty certificates mentioned in Schedule A to this Act, may be exercised shall not be extended, and the said bounty certificates are hereby declared null and void. 15

Rights of
substitutes.

7. No substitute made, constituted or appointed under *The Volunteer Bounty Act, 1908*, shall have any rights under the said Act or under this Act except such as are provided for by sections 5 and 8 of this Act.

Surrender of
rights by
grantee to
Crown.

8. Any grantee under *The Volunteer Bounty Act, 1908*, 20 or any substitute duly qualified in that behalf as provided for in section 5 of the said Act, may, on or before the thirty-first day of December, one thousand nine hundred and twelve, surrender to the Crown all rights under the said Act by executing a surrender in the form set out in 25 Schedule B to this Act, and thereupon such grantee may be paid the sum of five hundred dollars out of such moneys as are voted for that purpose by Parliament.

SCHEDULE A.

<i>Name.</i>	<i>No. of Bounty Certificate.</i>
Albert S. Brown.....	94
S. J. Halls.....	153
Lewis A. Till.....	852
G. W. Spencer.....	939
Hugh Allan McDougall.....	1628
Wm. Frank Thompson.....	2963
J. A. Walker.....	3032
John Henry Henderson.....	3050
Peter Warren Wentworth Bell.....	3144
Walter B. Butler.....	4077
T. N. Gallivan.....	4612

SCHEDULE A—*Concluded.*

<i>Name.</i>	<i>No. of Bounty Certificate.</i>
S. F. Daly.....	5007
Geo. Macbeth.....	5204
Henry Waller.....	5306
F. X. Lescarbeau.....	5584
J. J. Gaetz.....	5677
Eliza J. Stewart, et al.....	5971
Rory McLean.....	6248
Geo. Barry, et al.....	6471

SCHEDULE B.

Know all men by these presents that I, [give name, present address, and occupation], being the (substitute for [give name, address, and occupation] the) grantee named in the attached grant or bounty certificate, under *The Volunteer Bounty Act, 1908*, do hereby surrender, quit claim and release to the Minister of the Interior all my rights of every kind under such grant or bounty certificate, and I acknowledge the receipt of five hundred dollars as full consideration therefor.

In witness whereof I have hereunto set my hand and seal at _____ in the [county] of _____, this _____ day of _____, 1912.

Signed and Sealed }
in the presence of }

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 137.

An Act to amend the Volunteer Bounty
Act, 1908.

First reading, March 13, 1912.

MR. ROGERS.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 138.

An Act to incorporate the Winnipeg and St. Boniface Harbour Commissioners.

WHEREAS it is expedient that it be enacted as herein-^{Preamble.}
after set forth: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

SHORT TITLE.

5 **1.** This Act may be cited as *The Winnipeg and St. Boniface Harbour Commissioners Act.* Short title.

2. The commissioners appointed in accordance with
this Act are incorporated under the name of "The Winni-^{Corporation constituted.}
peg and St. Boniface Harbour Commissioners," hereinafter
10 called "the Corporation."

INTERPRETATION.

- 3.** In this Act, unless the context otherwise requires,—^{Definitions.}
- (a) "commissioner" means a member of the Corpora-<sup>"Commis-
sioner."</sup>
ation;
- 15 (b) "by-law" means any by-law, rule, order or regu-^{"By-law."}
lation made by the Corporation under the authority
of this Act;
- (c) "vessel" includes every kind of ship, boat, barge, "Vessel."
dredge, elevator, scow, or other floating craft;
- 20 (d) "goods" means any moveables other than vessels; "Goods."
(e) "rates" means any rate, toll, or duty whatsoever "Rates."
imposed by this Act;
- (f) "the harbour" means the harbour of Winnipeg<sup>"The
harbour."</sup>
and St. Boniface as defined by this Act.

Harbour limits defined. **4.** For the purposes of this Act, the harbour shall be deemed to include all the waters within the limits of the cities of Winnipeg and St. Boniface at the time of the passing of this Act.

Land marks. **5.** The Corporation may erect land marks to indicate the said limits of the harbour, which land marks shall be held to determine prima facie the said limits. 5

COMPOSITION OF CORPORATION.

Commissioners. **6.** The Corporation shall consist of five commissioners, three of whom shall be appointed by by-law of the council of the city of Winnipeg and two by by-law of the council of the city of St. Boniface. 10

Term of office. **2.** Each commissioner so appointed shall hold office for three years, subject to removal, and until his successor is appointed, and shall be eligible for re-appointment.

Resignation. **3.** A commissioner may resign his office by notice of such resignation in writing to the council of the city by which he was appointed. 15

Filling of vacancies. **7.** Whenever a vacancy occurs among the commissioners, whether such vacancy occurs by expiration of the term of office or otherwise, the body by which the commissioner so retiring was appointed shall, within thirty days, appoint his successor, and, in default of such appointment being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. 20 25

Oath of office. **8.** Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed on record in the office of the Corporation. 30

Chairman and quorum. **9.** The Corporation shall elect its own chairman, and four commissioners shall be a quorum for the transaction of business. 35

OFFICERS AND EMPLOYEES.

Officers, etc. **10.** The Corporation may appoint a harbour-master and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and

provisions of this Act, and may allow them such compensation or salaries as it deems proper, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary.

GENERAL POWERS.

- 5 **11.** The Corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the harbour, but nothing herein shall be deemed to give the Corporation jurisdiction or control respecting private property or rights within the said limits. Territorial limits of jurisdiction.
- 10 **12.** The Corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the said property and the land comprised within the harbour. Suits and proceedings.
- 15 **13.** The Corporation may acquire, expropriate, hold, sell, lease and otherwise dispose of such real estate, building or other property as it deems necessary or desirable for the development, maintenance and protection of the harbour, or for the management, development and control of such property, or for any of the other purposes of this Act, and re-invest the proceeds arising therefrom in its discretion. Powers as to property required for harbour.
- 20 2. The Corporation may take, hold, develop and administer on behalf of the cities of Winnipeg and St. Boniface subject to such terms and conditions as may, at the time the control thereof is transferred to the Corporation, be agreed upon with the councils of the said cities respectively, the dock property and water lots owned by the said cities respectively in the harbour, and all other property which may be placed under the jurisdiction of the Corporation.
- 25 3. Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage, or otherwise dispose of any land acquired by it from the Government of Canada.
- 30 **14.** The Corporation may regulate and control the use and development of all land and property on the water-front within the limits of the harbour, and all docks, wharves, channels, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter provided. Use and development of water front.
- 35 2. The Corporation may construct and maintain docks, channels, warehouses, cranes and other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, and may sell, lease or operate the same. Docks, buildings and appliances.
- 40

Powers as to
construction
and
operation of
railways.

3. The Corporation may, subject to such provisions of *The Railway Act* as are applicable to the exercise of the powers granted by this subsection,—

- (a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the harbour; 5
- (b) enter into agreements with any railway company for the maintenance by such company of such railways, and the operation thereof by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company; 10
- (c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour, or for making connection between such companies, lines or vessels and those of the Corporation; but nothing in this subsection shall be deemed to constitute the Corporation a railway company. 15

Plant and
machinery.

4. The Corporation may own and operate, by any motive power, all kinds of appliances, plant and machinery for the purpose of increasing the usefulness of the harbour and facilitating the traffic therein. 20

R.S., c. 115 to
apply to
works.

5. Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of *The Navigable Waters Protection Act*. 25

Profits of
operation, if
any, to belong
to the cities
of Winnipeg
and St.
Boniface.

15. After providing for the cost of management of all the property which the Corporation owns, controls or manages under the preceding sections, and after providing for the cost of works or improvements under way or contemplation, and for the performance of the other duties imposed upon the Corporation and for capital charges and interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the city of Winnipeg and the city of St. Boniface, as their interest may appear, and shall be paid over by the Corporation to the city treasurer in each case. 30 35

Books, etc. to
be open to
inspection by
the cities.

16. All books, documents and papers having reference to the management and development of any property under the control of the Corporation shall at all times be open for inspection by the audit department of the city of Winnipeg and the city of St. Boniface, and the Corporation shall keep separate accounts as between the city of Winnipeg and the city of St. Boniface of all moneys borrowed, received and expended by it under the authority of this Act, and shall 40 45

Accounts.

account for such moneys annually to the council of the cities of Winnipeg and St. Boniface and to the Governor in Council, in such manner or form as he may direct.

Annual report
to Governor
in Council.

EXPROPRIATION OF LANDS.

17. Whenever the Corporation desires to acquire any 5 lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of the lands which it is authorized to purchase, as to the price to be paid therefor, then the Corporation may acquire such lands without the consent of the owner, and the provisions of *The* 10 *Railway Act* relating to taking land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation; but no proceedings for the expropriation of lands shall be commenced until the consent of the Governor in Council is first obtained.

Expropria-
tion of lands.

R.S., c. 37 to
apply.

BORROWING POWERS.

18. For the purpose of defraying the expenses of con- 15 structing, extending and improving the wharves, structures and other accommodations in the harbour in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the harbour, the 20 Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures, for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be 25 secured upon the real property vested in or controlled by the Corporation.

2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the 30 management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act for, or on account of the harbour; and other lawful charges upon the said revenue shall be as follows:—

(a) The payment of all expenses incurred in the collection 35 of the same, and other necessary charges;

(b) The defraying the expenses of keeping the harbour clean and of keeping the wharves and other works therein in a thorough state of repair;

(c) The payment of interest due on all sums of money 40 borrowed under this Act;

(d) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;

Borrowing
powers.

Debentures.

Term of
security.

Charge upon
revenue.

Other charges
on revenue.

Collection.

Repairs.

Interest.

Sinking fund.

Dredging,
operating,
etc.

- (e) The cost of keeping the harbour dredged, operating docks and wharves, and otherwise carrying out the objects of this Act.

BY-LAWS.

By-laws.

19. The Corporation may make by-laws, not contrary to law or the provisions of this Act, for the following purposes:— 5

Navigation.

- (a) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour; 10

Building operations and other actions affecting harbour.

- (b) To regulate, control or prohibit any building operations within or upon the harbour, excavations, removal or deposit of material, or any other action which would affect in any way the docks, wharves or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto; 15

Construction, etc. of works on docks, etc.

- (c) To construct, regulate, operate and maintain railways, elevators, pipes, conduits or other works or appliances upon the docks, wharves or channels or any part thereof; 20

Poles, wires.

- and to control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation;

Encroachments.

- (d) To prevent injuries to or encroachments upon any channels, harbours, wharves or waters generally within the limits of the harbour; 25

Explosives.

- (e) To regulate and control the landing and shipping of explosives or inflammable substances;

Order. Prevention of theft.

- (f) To maintain order and regularity and prevent theft and depredations; 30

Rates, tolls and penalties.

- (g) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law made under the authority of this Act;

Control of boats, etc.

- (h) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kinds of craft within the limits of the area over which the corporation has jurisdiction; 35

Penalties for infringing Act or by-laws.

- (i) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of payment of such pecuniary penalty and the cost of conviction, the period of imprisonment, to be fixed by by-law, not to exceed sixty days, not to continue after such payment is made; 40 45

- (j) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landing from or shipped on board of the same as they think fit, according to the use which may be made of the harbour and works aforesaid.
- 5 2. No by-laws shall have force or effect until confirmed by the Governor in Council, and published in *The Canada Gazette*.
- 10 3. A copy of any by-law certified by the secretary under the seal of the corporation shall be admitted as full and sufficient evidence of such by-law in all courts in Canada.

Government of harbour.

Tolls for use.

Confirmation of by-laws.

Copies when evidence.

HARBOUR RATES.

20. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied herein.
- 15
21. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes, if it sees fit to do so.
- 20
22. The Corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sums of money as the Corporation deems expedient.
- 25

Valuation of goods.

R.S., c. 48 to apply.

Recovery of rates.

Commutation of rates.

SUMMARY PROCEEDINGS.

23. The Corporation may seize and detain any vessel at any place within the limits of the province of Manitoba—
- 30
- (a) whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid;
- (b) whenever the master, owner or person in charge of the vessel has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.
- 35
24. The Corporation may seize and detain any goods in the following cases:—

Seizure of vessels.

Seizure of goods.

- (a) Whenever any sum is due for rates in respect of such goods, and is unpaid;
- (b) Whenever any provision of this Act, or any by-law in force under this Act has been infringed in respect of such goods, and a penalty has been incurred thereby. 5

Seizure and detention to be at owners' risk.

25. Every lawful seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all the sums due, and penalties incurred, together with all proper and reasonable costs and charges incurred in the seizure and detention, and the costs 10 of any conviction obtained for the infringement of any provision of this Act, or of any by-law in force under this Act have been paid in full.

May be made with or without suit.

2. The seizure and detention may take place either at the commencement of any suit, action or proceeding for the 15 recovery of any sums of money due, penalties or damages, or pending such suit, action or proceeding, or as incident thereto, or without the institution of any action or proceeding whatsoever.

Order for seizure.

3. The seizure and detention may be effected upon the 20 order of—

- (a) any judge;
- (b) any magistrate having the power of two justices of the peace;
- (c) the collector of customs at the ports of Winnipeg and 25 St. Boniface.

Application for order.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof, 30 and the said constable, bailiff or other person, may take all necessary means and demand all necessary aid to enable him to execute the said order.

Execution of order.

RESTRICTION.

Pecuniary transactions forbidden.

26. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any 35 members thereof, directly or indirectly.

OATHS.

Adminis-
tration of oaths.

27. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of Winnipeg or St. Boniface, or any justice of the peace, may administer such 40 oath.

ACCOUNTING FOR MONEYS.

28. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act; and shall account therefor annually to the Governor in Council in such manner and form as he may direct.

Accounting
for moneys.

LIMITATION OF SUMMARY PROCEEDINGS.

29. In the case of any violation of this Act, or of any by-law in force under this Act, no complaint or information shall be made or laid after two years from the time that the matter of complaint or information arose.

Prescription
of
prosecutions
for violation
of Act or
by-laws.

THE HOUSE OF COMMONS
OF CANADA.

BILL 138.

An Act to incorporate the Winnipeg and
St. Boniface Harbour Commissioners.

First reading, March 13, 1912.

MR. HAZEN.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 140.

An Act to amend the Fisheries Act.

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

1. *The Fisheries Act*, chapter 45 of the Revised Statutes, 1906, is amended by inserting the following section immediately after section 67:—

R.S., c. 45.
Section added.

“67A. The Governor in Council may, upon such terms and conditions as are agreed upon, authorize the government of any province to grant leases of such areas of the sea-coast, bays, inlets, harbours, creeks, rivers and estuaries of such province as the government of such province considers suitable for the cultivation and production of oysters, and any persons to whom such leases are granted by such province shall, subject to the fishery regulations of Canada, have the exclusive right to the oysters produced or found on the beds within the limits of their respective leases; provided that, in the event of such areas, or any part thereof, being in a public harbour, nothing in this section shall prejudice the right or title of the Dominion to the enjoyment and use of such harbour for every purpose other than the cultivation and production of oysters.”

Authority to provinces to grant leases for oyster cultivation.

Proviso as to public harbours.

THE HOUSE OF COMMONS
OF CANADA.

BILL 140.

An Act to amend the Fisheries Act.

First reading, March 14, 1912.

MR. HAZEN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 143.

An Act to amend the Canada Shipping Act.

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

1. Section 100 of *The Canada Shipping Act*, chapter 113 of the Revised Statutes, 1906, and section 7 of chapter 65 of the statutes of 1908, are repealed, and the following is enacted as section 100 of *The Canada Shipping Act*:—

R. S., c. 113,
new s. 100.
1908, c. 65
amended.

“100. The foregoing provisions as to masters and mates shall not apply to pleasure yachts not carrying passengers or goods for hire, or to steamships of not more than five tons gross tonnage, or to barges or other vessels having neither masts, sails nor rigging, and not being steamships, or to ships employed solely in fishing, or to sailing ships of not more than one hundred tons, registered tonnage, propelled by auxiliary power other than steam, employed partly in fishing and partly in the carriage of freight.”

Exceptions
as to certified
officers.

Note.—The intention is to exempt sailing ships fitted with auxiliary engines from having to employ certificated masters or mates. Such vessels would be exempt under the existing law if employed solely in fishing. As they are engaged in carrying cargo when not fishing, it is proposed to amend the law in this respect.

2. Section 104 of the said Act is repealed and the following is substituted therefor:—

New s. 104.

“104. Whenever any master or mate or second mate proves to the satisfaction of the Minister that he has, without fault on his part, lost or been deprived of any certificate required under this Part, the Minister may, upon such terms and conditions as he deems fit, cause a copy or duplicate of the original certificate to be made out and certified as aforesaid and to be delivered to such master or mate or second mate.”

Certificate
lost may be
replaced.

Note.—At present one-half the fee is charged for a duplicate certificate. This is considered excessive. Under the amendment the Minister can fix what he considers a fair and reasonable fee.

THE HOUSE OF COMMONS
OF CANADA.

BILL 143.

An Act to amend the Canada Shipping
Act.

First reading, March 15, 1912.

Mr. HAZEN.

THE HOUSE OF COMMONS OF CANADA.

BILL 144.

An Act respecting aid toward the construction of the Canadian Northern Alberta Railway.

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

1. This Act may be cited as *The Canadian Northern* Short title.
5 *Alberta Railway Act, 1912.*

2. The aid and assistance which, under *The Canadian* Aid to
Northern Alberta Railway Act, 1910, (hereinafter called company
"the said Act"), the Governor in Council was authorized may be
to give to the Canadian Northern Alberta Railway Company applied to
10 (hereinafter called "the Company") in respect of the con- new line
struction of the one hundred and fifty miles of the line of
railway therein described (hereinafter called "the old
line") may, notwithstanding anything in the said Act, be
15 applied to the first one hundred and fifty miles of the
Company's line of railway at present constructed or locat-
ed running from St. Albert, in the province of Alberta, in
a generally westerly direction toward the Yellowhead Pass,
such last mentioned one hundred and fifty miles being here-
in referred to as "the new line."

20 3. The Governor in Council may cause to be executed Execution
by the Minister of Finance, or such other officer as the Gov- of mortgage.
ernor in Council may designate, an instrument, in form
approved by the Governor in Council, supplementary to
the deed of trust, by way of mortgage or charge, made under
25 the authority of the said Act and dated the twenty-second

day of March one thousand nine hundred and eleven, (herein called the original mortgage), for the purpose of giving effect to the provisions of this Act.

Securities
already issued
to be a
charge on
new line.

4. Upon the execution of such instrument by the Company and the Minister of Finance, or the other person as 5
aforementioned, the securities issued under the original mortgage shall form a charge upon the new line instead of upon the old line, and the proceeds of the guaranteed securities issued under the original mortgage shall thereupon be applied in and toward the construction of the new line. 10

Trustees
to execute.

5. The trustees of the original mortgage shall concur with the Company and the Governor in Council in executing, or causing to be executed, the supplementary instrument aforementioned.

Amendment
of contract
for construction.

6. Upon the passing of this Act the contract made 15
between His Majesty the King and the Company, dated the second day of September, one thousand nine hundred and eleven, in respect of the construction of the line of railway aided under the said Act may be amended by the parties thereto so as to provide for the construction 20
and completion of the new line instead of the line therein mentioned, and the several parties to the said contract and to the original mortgage are hereby authorized and empowered to execute the several documents and make the several amendments necessary to carry into effect the 25
intent of this Act.

THE HOUSE OF COMMONS
OF CANADA.

BILL 144.

An Act respecting aid toward the construction of the Canadian Northern Alberta Railway.

First reading, March 15, 1912.

MR. WHITE,
(Leeds).

OTTAWA

Printed by C. H. PARMUR

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1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 149.

An Act respecting the Water in the Railway Belt and Peace River block of land.

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

1. This Act may be cited as *The Railway Belt Water Act*. Short title.

2. In this Act, unless the context otherwise requires,— Definitions.
- (a) “domestic purposes” means and includes house- “Domestic purposes.”
hold, sanitary and fire protection purposes and the purpose of watering live stock;
- 10 (b) “watercourse” means and includes any river, stream, “Water-
course.”
brook, lake, spring, creek, ravine, canon, lagoon, swamp marsh or other watercourse;
- (c) “Railway Belt” means the lands on the mainland “Railway Belt.”
of British Columbia granted to the Crown in the right of Canada by chapter 14 of the statutes of British
15 Columbia of 1884 for the purpose of constructing and to aid in the construction of the Canadian Pacific Railway;
- (d) “riparian proprietor” means a person lawfully occu- “Riparian proprietor.”
20 pying lands adjoining and bordering upon any watercourse within the Railway Belt.

3. The property in and the right to the use of all the water at any time in any watercourse within the Railway Belt shall, for all purposes, be deemed to be vested in the
25 Crown, unless and until and except only so far as some right therein or in the use thereof inconsistent with the right of the Crown, and which is not a public right or a Confirma-
tion to
Crown of
ownership of
all waters.

- Proviso as to rights reserved and existing rights. right common to the public, is established: Provided however that nothing in this Act shall be construed to affect any riparian right or rights to water in, on or appurtenant to those lands in the Railway Belt not granted by the Crown in the right of British Columbia to the Crown in the right of Canada or to affect any riparian right or rights to water in, on or appurtenant to lands which having been heretofore granted by the Crown in the right of Canada are not now vested in the Crown. 5
- Exclusive rights not vested in grantee. 4. No grant hereafter made by the Crown of lands in the Railway Belt, or of any interest therein, shall vest in the grantee any exclusive or other right, title or privilege in, to or in respect of any watercourse, or in, to or in respect of the bed or shores of any watercourse, saving only the right of every grantee to appropriate in the ordinary manner so much of the water as to which he is a riparian proprietor as is reasonably necessary for his domestic purposes. 15
- Except waters for domestic purposes. 5. The water so vested in and reserved to the Crown as aforesaid shall, during the pleasure of the Governor in Council, be administered under and in accordance with the provisions of "The Water Act, 1909," of British Columbia, as if the said Act was enacted by the Parliament of Canada, and the officers and authorities having powers and duties to exercise and perform under the provisions of the said Act shall have the like power and authority with respect to or in connection with the administration of the said water. 25
- Administration under B. C., 1909, c. 48. 6. The Governor in Council may direct that any Act, or portion thereof, hereafter passed by the legislature of the Province of British Columbia relating to the water belonging to the Crown in the right of the Province of British Columbia shall apply to the water vested in and reserved to the Crown under the provisions of this Act, as if such Act were enacted by the Parliament of Canada. 35
- Application of future legislation of British Columbia. 7. The Governor in Council may, at any time, repeal the provisions of section 5 of this Act, by proclamation to be published in *The Canada Gazette*, and upon the repeal of the said section, the water shall be administered under regulations to be made by the Governor in Council. 40
- Power to repeal section 5. 8. Section 5 of this Act shall not come into force until a day to be named by proclamation of the Governor in Council, and such proclamation may issue when and as soon as it is agreed on the part of the Government of British Columbia
- Commencement of s. 5.

that the water subject to the provisions of "The Water Act, 1909," of British Columbia, shall be administered in accordance with the provisions of section 5 of this Act, and that the Government of British Columbia will pay to the Receiver General of Canada the revenue derived from such administration, less the cost incurred by the said Government in connection therewith.

Proclamation after agreement of British Columbia.

9. Nothing in this Act shall be construed as conferring any interest in or authority or control over any lands belonging to the Crown in the right of Canada.

Rights of Crown preserved.

THE HOUSE OF COMMONS
OF CANADA.

BILL 149.

An Act respecting the Water in the
Railway Belt and Peace River block
of land.

First reading, March 18, 1912.

MR. ROGERS.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 150.

An Act respecting the Harbour Commissioners of Montreal.

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

- 1.** Paragraph (*d*) of subsection 1 of section 6 of *The Montreal Harbour Commissioners' Act, 1894*, as the said section is enacted by section 2 of chapter 24 of the statutes of 1909, is amended by striking out the word "southern" in the fifth line of the said paragraph and substituting therefor the word "eastern."
- 1894, c. 48,
s. 6 amended.
Error in
description
corrected.

Note.—The amendment is for the purpose of correcting an error in the description of the harbour.

THE HOUSE OF COMMONS
OF CANADA.

BILL 150.

An Act respecting the Harbour Commis-
sioners of Montreal.

First reading, March 18, 1912.

MR. HAZEN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 151.

An Act to extend the Boundaries of the Province of
Quebec.

WHEREAS on the thirteenth day of July, one thousand ^{Preamble.}
nine hundred and eight, the House of Commons
resolved that the limits of the province of Quebec should
be increased by the extension of the boundaries of the prov-
5 ince northwards so as to include the territory hereinafter
described, as in the said resolution is more particularly
set out, upon such terms and conditions as may be agreed
to by the Legislature of Quebec and by the Parliament of
10 Canada: Therefore, subject to the consent of the said
Legislature, His Majesty, by and with the advice and
consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. This Act may be cited as *The Quebec Boundaries* ^{Short title.}
Extension Act, 1912.

15 2. The limits of the province of Quebec are hereby ^{Boundaries}
increased so that the boundaries thereof shall include, in ^{extended.}
addition to the present territory of the said province, the
territory bounded and described as follows:—Commencing
at the point at the mouth of East Main river where it
25 empties into James Bay, the said point being the western
termination of the northern boundary of the province of
Quebec as established by chapter 3 of the statutes of 1898, ^{1898, c. 3.}
intituled *An Act respecting the north-western, northern and*
north-eastern boundaries of the province of Quebec; thence
30 northerly and easterly along the shores of Hudson bay and
Hudson strait; thence southerly, easterly and northerly
along the shore of Ungava bay and the shore of the said
strait; thence easterly along the shore of the said strait to

the boundary of the territory over which the Island of Newfoundland has lawful jurisdiction; thence south-easterly along the westerly boundary of the said last mentioned territory to the middle of Bay du Rigolet or Hamilton Inlet; thence westerly along the northern boundary of the province of Quebec as established by the said Act to the place of commencement; and all the land embraced by the said description shall, from and after the commencement of this Act, be added to the province of Quebec, and shall, from and after the said commencement, form and be part of the said province of Quebec upon the following terms and conditions and subject to the following provisions:—

Population as affecting representation.

(a) That the population of the territory hereby added to the province of Quebec shall be excluded in ascertaining the population of the said province for the purposes of any readjustment of representation of the other provinces consequent upon any census;

Population under decennial census.

(b) That in the general census of the population of Canada which is required to be taken in the year one thousand nine hundred and twenty-one and in every tenth year thereafter the population of the territory hereby added to the province of Quebec shall be distinguished from that of the said province as heretofore constituted, and the representation of the said territory in the House of Commons shall be determined according to the rules enacted by section 51 of "The British North America Act, 1867," regulating the representation of the provinces other than Quebec;

B.N.A. Act, s. 51.

Indian rights in new territory.

(c) That the province of Quebec will recognize the rights of the Indian inhabitants in the territory above described to the same extent, and will obtain surrenders of such rights in the same manner, as the Government of Canada has heretofore recognized such rights and has obtained surrender thereof, and the said province shall bear and satisfy all charges and expenditure in connection with or arising out of such surrenders;

Surrenders.

(d) That no such surrender shall be made or obtained except with the approval of the Governor in Council;

Trusteeship.

(e) That the trusteeship of the Indians in the said territory, and the management of any lands now or hereafter reserved for their use, shall remain in the Government of Canada subject to the control of Parliament.

Commencement of Act.

3. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council published in *The Canada Gazette*, but such proclamation shall not be made until after the Legislature of Quebec shall have consented to the increase of the limits of the province herein provided for, and agreed to the terms, conditions and provisions aforesaid.

Consent of Quebec legislature.

Bill 121
The Hon. J. G. Macdonald
Minister of the Interior
Ottawa
March 13, 1912

Dear Sir:
I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the proposed extension of the railway from the town of... to the town of...
The proposed extension of the railway from the town of... to the town of... is a matter of great importance to the people of the province of Quebec. It is a matter which will affect the interests of the people of the province of Quebec in a very important manner. It is a matter which will affect the interests of the people of the province of Quebec in a very important manner. It is a matter which will affect the interests of the people of the province of Quebec in a very important manner.

Very respectfully,
J. G. Macdonald
Minister of the Interior

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 151.

An Act to extend the Boundaries of the
Province of Quebec.

First reading, March 18, 1912.

MR. BORDEN.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 152.

An Act to extend the Boundaries of the Province of Ontario.

WHEREAS, on the thirteenth day of July, one thousand Preamble.
nine hundred and eight, the House of Commons resolved that the limits of the province of Ontario should be increased by the extension of the boundaries of the province
5 so as to include the territory hereinafter described, as in the said resolution is more particularly set out, upon such terms and conditions as may be agreed to by the Legislature of Ontario and by the Parliament of Canada: Therefore, subject to the consent of the said Legislature, His Majesty,
10 by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Ontario Boundaries* Short title.
Extension Act.

2. The limits of the province of Ontario are hereby Boundaries extended.
15 increased so that the boundaries thereof shall include, in addition to the present territory of the said province, the territory bounded and described as follows:—Commencing at the most northerly point of the westerly boundary of the province of Ontario as determined by “The Canada (Ont-
20 ario) Boundary Act, 1889,” chapter 28 of the statutes of 1889 of the United Kingdom, (the said westerly boundary being the easterly boundary of the province of Manitoba);
25 thence continuing due north along the same meridian to the intersection thereof with the centre of the road allowance on the twelfth base line of the system of Dominion Land Surveys; thence north-easterly in a right line to the most eastern point of Island lake, as shown in approximate latitude 53° 30' and longitude 93° 40' on the railway map of U.K. 1889, c. 28.

the Dominion of Canada, published, on the scale of thirty-five miles to one inch, in the year one thousand nine hundred and eight, by the authority of the Minister of the Interior; thence north-easterly in a right line to the point where the eighty-ninth meridian of west longitude intersects the southern shore of Hudson bay; thence easterly and southerly following the shore of the said bay to the point where the northerly boundary of the province of Ontario as established under the said Act intersects the shore of James bay; thence westward along the said boundary as established by the said Act to the place of commencement; and all the land embraced by the said description shall, from and after the commencement of this Act, be added to the province of Ontario, and shall, from and after the said commencement, form and be part of the said province of Ontario, upon the following terms and conditions and subject to the following provisions:—

Indian
rights in
new
territory

(a) That the province of Ontario will recognize the rights of the Indian inhabitants in the territory above described to the same extent, and will obtain surrenders of such rights in the same manner, as the Government of Canada has heretofore recognized such rights and has obtained surrender thereof, and the said province shall bear and satisfy all charges and expenditure in connection with or arising out of such surrenders;

Surrenders.

(b) That no such surrender shall be made or obtained except with the approval of the Governor in Council;

Trusteeship.

(c) That the trusteeship of the Indians in the said territory, and the management of any lands now or hereafter reserved for their use, shall remain in the Government of Canada subject to the control of Parliament.

Commence-
ment of
Act.

3. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council published in *The Canada Gazette*, but such proclamation shall not be made until after the Legislature of Ontario shall have consented to the increase of the limits of the province herein provided for, and agreed to the terms, conditions and provisions aforesaid.

Consent of
Ontario
legislature.

THE HOUSE OF COMMONS
OF CANADA.

BILL 152.

An Act to extend the Boundaries
of the Province of Ontario.

First reading, March 18, 1912.

MR. BORDEN.

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 HOUSE OF COMMONS OF CANADA.

BILL 156.

An Act to amend the Judges Act.

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

1. Section 4 of *The Judges Act*, chapter 138 of the Revised Statutes, 1906, is amended by adding thereto the following subsection:—

R.S., c. 138,
s. 4
amended.

“2. The salary of the assistant judge of the said Court shall be \$6,000 per annum.”

Exchequer
Court.

Note. This subsection provides a salary for an additional judge of the Exchequer Court, whose appointment is provided for in Bill 168, to amend the Exchequer Court Act.

2. Subsection 1 of section 6 of the said Act is amended by adding at the end thereof the following:—

S. 6
amended.

“Two judges of the High Court of Justice, not attached to any division, each \$7,000 per annum.”

High Court,
Ontario.

Note. This amendment provides a salary for two additional judges of the High Court of Justice for Ontario.

3. Chapter 35 of the statutes of 1910 is repealed and the following is enacted in lieu of lines seven to fourteen, both inclusive, of section 8 of *The Judges Act*:—

S. 8
amended.
1910, c. 35.
repealed.

“Twenty-two puisne judges of the said Court, whose residences are fixed at Montreal or Quebec (including the two judges to whom the district of Terrebonne and the district of Montmagny and Beauce are respectively assigned), each \$7,000 per annum.

Superior
Court,
Quebec.

“Sixteen puisne judges of the said Court, namely:—
Two residing at Sherbrooke; two at the city of Three Rivers;

two at the city of Hull (subject to the provisions of chapter 8 of the statutes of 1910 of Quebec); or in the immediate vicinity of those places; and one for each of the following districts: Arthabaska, Beauharnois, Bedford, Iberville, Joliette, Kamouraska, Pontiac, Richelieu, Rimouski and St. Hyacinthe, each \$5,000 per annum." 5

Note. This is to give the judge of the district of Montmagny, who is required by law to reside at Quebec, the same salary as the other judges who reside at Quebec; and to provide a salary for the judge of the new district of Montcalm who, under chapter 8 of the statutes of 1910 of Quebec, is required to live at Hull until the Court house is built at Mont Laurier and the district is proclaimed by the Lieutenant Governor in Council of Quebec.

R.S., c. 138.
New s. 11.

4. The following is enacted as section 11 of *The Judges Act*:—

“Manitoba.

Manitoba
Court of
Appeal and
King’s
Bench.

“11. The salaries of the judges of the Court of Appeal and of the Court of King’s Bench of the province of Manitoba, shall be as follows:— 10

Per annum.

“The Chief Justice of the Court of Appeal \$8,000.

“Four puisne judges of the said Court, each . . . 7,000.

“The Chief Justice of the Court of King’s Bench, 7,000. 15

“Five puisne judges of the said Court, each . . . 6,000.”

Note. At the present time there are three puisne judges of the Court of Appeal for Manitoba, and four puisne judges of the Court of the King’s Bench. This amendment provides a salary for an additional judge of each Court.

New s. 14 A.

5. Section 14A of the said Act, as enacted by section 4 of chapter 45 of the statutes of 1907, is repealed, and the following is substituted therefor:—

“Alberta.

Alberta
Supreme
Court.

“14A. The salaries of the judges of the Supreme Court 20 of Alberta shall be as follows:—

“The Chief Justice of the Court, \$7,000 per annum.

“Five puisne judges of the Court, each \$6,000 per annum.”

Note. There are at present only four judges of the Court.

1909, c. 21
s. 1
amended.

District
Court.

6. Section 1 of chapter 21 of the statutes of 1909 is amended by striking out the word “six” in the first line of 25 the paragraph relating to District Court judges, under the heading “Alberta,” and substituting therefor the word “eight.”

Note. This provides a salary for eight District Court judges for Alberta, instead of six as at present.

1907, c. 45
amended.
Saskatch-
ewan
District
Court.

7. Section 5 of chapter 45 of the statutes of 1907 is amended by striking out the word “eight” in the fourth line thereof 30 and substituting therefor the word “nine.”

Note. There are at present eight District Court judges for Saskatchewan. This provides a salary for an additional judge.

8. Paragraph (a) of subsection 1 of section 18 of *The Judges Act* is repealed and the following is substituted therefor:—

R. S., c. 138,
s. 18
amended.

- “(a) no judge shall receive any travelling allowance
5 for attending any court or chambers at [or in the immediate vicinity of] the place where he resides.”

Note. The words between brackets are new.

9. No person shall be eligible to be appointed a judge
of a superior court, or of a circuit, county or district court,
in any province unless, in addition to any other require-
10 ments prescribed by law, he has been admitted to the bar
of one of the provinces at least ten years before the date
of appointment.

Requirements
for
appointment
of certain
judges.

10 years at
the Bar.

Note. This provides that persons appointed judges of the courts named must have been ten years at the bar.

THE HOUSE OF COMMONS
OF CANADA.

BILL 156.

An Act to amend the Judges Act.

First reading, March 19, 1912.

MR. DOHERTY.

THE HOUSE OF COMMONS OF CANADA.

BILL 165.

An Act to amend the Criminal Code.

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

1. Subsection 2 of section 235 of *The Criminal Code*, as
5 enacted by section 3 of chapter 10 of the statutes of 1910,
is repealed and the following is substituted therefor:—
“2. The provisions of this section and of sections 227
and 228 shall not extend to any person by reason of his
becoming the custodian or depository of any money,
10 property or valuable thing staked or to be paid to the
winner of any lawful race, sport, game or exercise, or to
be paid to the owner of any horse engaged in any lawful
race, or to a private bet between individuals not engaged
in any way in a business of betting, or to bets made or
15 records of bets made upon the race-course of any associa-
tion incorporated in any manner before the twentieth day of
March, one thousand nine hundred and twelve, or incor-
porated after that date by special Act of the Parliament of
Canada or of the legislature of any province of Canada,
20 during the actual progress of a race-meeting conducted by
such association upon races being run thereon, or to the sale
by such association of information or privileges to assist in
or enable the conducting of book-making, pool-selling, bet-
ting or wagering upon the race-course of such association
25 during the actual progress of a race-meeting conducted by
such association upon races being run thereon, or to book-
making, pool-selling, betting or wagering upon such race-
course during the actual progress of a race meeting conducted
by such association upon races being run thereon. Provided
- R.S., c. 146.
s. 235
amended.
1910, c. 10
amended.
As to
stakeholders.
- Bets.
- Bookmaking.

Time limit
for race
meetings.

Proviso.

Proviso.

that as to race-meetings at which there are running races no such race-meeting continues for more than seven days of continuous racing on days on which such racing may be lawfully carried on; and provided that no such association holds, and that on any one race-track there be not held, in any one calendar year more than two race-meetings at which there are running races and that there is an interval of at least twenty days between meetings; and provided that as regards race-meetings held upon the race-course of any association incorporated after the fourth day of May one thousand nine hundred and ten, the said race-course be located in or within three miles of a Canadian town or city having a population of not less than fifteen thousand people. Provided also that as to race-meetings at which there are trotting or pacing races exclusively, no such race-meeting continues for more than three days, on which racing may be carried on, in any one calendar week, and that no race-meetings at which there are trotting or pacing races are held on the same grounds for more than fourteen days in all in any one calendar year." 5 10 15 20

THE HOUSE OF COMMONS
OF CANADA.

BILL 165.

An Act to amend the Criminal Code.

First reading, March 20, 1912.

MR. DOHERTY.

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 HOUSE OF COMMONS OF CANADA
THE HOUSE OF COMMONS OF CANADA.

BILL 166.

An Act to amend the Prisons and Reformatories Act.

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

1. *The Prisons and Reformatories Act*, chapter 148 of the R. S., c., 148.
5 Revised Statutes, 1906, is amended by adding thereto the Part added.
following:—

“PART VIII.

“BRITISH COLUMBIA.

“*Application of Part.*

“144. This part applies only to the province of British Columbia. Application to British Columbia.

10 “145. If any girl who, at the time of her trial, appears to the court to be under the age of sixteen years is convicted of any offence against the laws of Canada for which a sentence of imprisonment for a term of one month or longer but less than five years may be imposed upon an adult convicted of the like offence, and the court before
15 which the girl is convicted is satisfied that a due regard for her material and moral welfare requires that she should be committed to the Industrial Home for Girls of British Columbia, such court may sentence such girl to be imprisoned therein for such fixed term as the court thinks fit,
20 not being greater than the term of imprisonment which could be imposed upon an adult for the like offence. Term.
16 years.

Additional imprisonment for purpose of reform.

"146. If any girl, apparently under the age of sixteen years, is convicted of any offence against the laws of Canada punishable on summary conviction, and thereupon is sentenced and committed to prison in any common gaol for a term of not less than fourteen days, any judge of one of the superior courts, or any judge of a county court, may examine and inquire into the circumstances of such case and conviction, and if he considers the material and moral welfare of the girl requires it, he may, as an additional sentence for such offence, sentence such girl to be sent either forthwith, or at the expiration of her imprisonment in such gaol, to the Industrial Home for Girls, to be there detained for the purpose of her industrial and moral education for an indefinite period, not exceeding in the whole five years from the commencement of her imprisonment in the common gaol. 5 10 15

Period of detention.

"147. Every girl so sentenced shall be detained in the Industrial Home for Girls until the expiration of the fixed term of her sentence, unless sooner discharged by lawful authority; and such girl thereafter shall, and every girl sentenced under the last preceding section shall, subject, in both cases, to the provisions of this Part, and to any regulations made as in this Part hereafter provided, be detained in the Home for a term not exceeding five years from the commencement of her imprisonment, for the purpose of her industrial and moral education. 20 25

Discharge.

"148. The Lieutenant Governor may at any time in his discretion order that any girl detained in such Industrial Home for Girls under a summary conviction be discharged.

Apprenticing of certain girls.

"149. If any respectable and trustworthy person is willing to undertake the charge of any girl committed to the Industrial Home for Girls as an apprentice to the trade or calling of such person, or for the purpose of domestic service, and such girl is confined in the Industrial Home for Girls by virtue of a sentence or order pronounced under the authority of any Act of the Parliament of Canada, the superintendent or other chief officer of the Industrial Home for Girls, with the consent of the Attorney General of British Columbia, may bind the said girl to such person for any term not to extend without her consent beyond a term of five years from the commencement of her imprisonment. 30 35 40

Discharge on probation.

"2. The Attorney General of British Columbia shall thereupon order that such girl shall be discharged from the Industrial Home for Girls on probation, to remain so discharged provided her conduct during the residue of the term of five years from the commencement of her imprisonment continues good, and such girl shall be discharged accordingly. 45

Wages.

"3. Any wages reserved in any indenture of apprenticeship made under this section shall be payable to such girl or to some person for her benefit. 50

"4. No girl shall be discharged under this section, except on probation as aforesaid, until after the fixed term of her sentence has elapsed, unless by the authority of the Governor in Council. No other discharge.

5 "150. Any girl confined in any common gaol of the province under sentence of imprisonment for any offence against the laws of Canada may, by the direction of the Attorney General of British Columbia, be transferred from such common gaol to the Industrial Home for Girls, there Transfer from gaol to Industrial Home.
10 to be imprisoned for the unexpired portion of the term of imprisonment to which such girl was originally sentenced.

"2. Such girl shall thereupon be imprisoned in the Industrial Home for Girls for the residue of such term unless in the meantime she is lawfully discharged or removed, Term.
15 and shall be subject to all the rules and regulations of the said institution.

"151. In order to encourage good behaviour and industry among the girls in the Industrial Home for Girls, the Lieutenant Governor in Council may make rules under Remission of sentence for good conduct.
20 which any girl imprisoned in the Industrial Home for Girls shall be entitled, by good conduct and industry, to earn a remission of a portion of the time for which she is sentenced.

"152. The judge of any county court or any police or stipendiary magistrate may, on satisfactory proof that any Recommittal for misbehaviour.
25 girl who has been discharged on probation, or has been apprenticed, has violated the conditions of her discharge or the provisions of the indenture of apprenticeship, order such girl to be recommitted to the Industrial Home for Girls, there to be confined under her original sentence.

30 "153. If a girl escapes from the Industrial Home for Girls, or neglects to attend thereat, or absents herself without consent from the service of the person to whom she may have been apprenticed, she may at any time before the expiration of the period of detention or apprenticeship, Apprehension for escape, neglect or absence.
35 as the case may be, be apprehended without warrant, and may be brought back to the said institution or such person, there to be detained during a period equal to so much of her period of detention or apprenticeship as remained unexpired at the time of her escape.

40 "2. Every person who aids or abets any girl in such escape shall be liable, upon summary conviction, to a penalty not exceeding twenty-five dollars. Aiding or abetting.

2. This Act shall come into force on a day to be named by proclamation of the Governor in Council. Commencement of Act

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 166.

An Act to amend the Prisons and
Reformatories Act.

First reading, March 20, 1912.

MR. DOHERTY.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 167.

An Act respecting the incorporation of Live Stock
Record Associations.

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

1. This Act may be cited as *The Live Stock Pedigree Act*. Short title.
- 5 2. In this Act, unless the context otherwise requires,— Definitions.
 - (a) "association" means an association incorporated "Association-
tion."
under this Act;
 - (b) "Minister" means the Minister of Agriculture; "Minister."
 - (c) "pure bred" means registered in or eligible for "Pure bred."
10 registration in the records of any association incor-
porated under this Act according to the rules of such
association.
- 15 3. The administration of this Act, or any part thereof, Administra-
tion of Act.
may be assigned to such other member of the King's Privy
Council for Canada as is named for that purpose by order
in council.
4. The Minister may appoint such officers as he deems Officers.
necessary for carrying out the provisions of this Act.
- 20 5. The Minister, upon the application of any number Application
for
association.
of persons, not less than five, of the age of twenty-one
years or over, who desire to form an association for the
purpose of keeping a record of pure bred domestic animals
of a distinct breed, or several records, each of a distinct
breed of the same species of animals, may approve of the
25 application and grant the certificates hereinafter mentioned.

Form of application.	6. The application shall be in the form or to the effect set out in Form A in the Schedule to this Act, and shall be in duplicate. Each duplicate shall be signed by each of the applicants, and the signatures shall be verified by the affidavit of a subscribing witness, which affidavit may be taken	5
Attestation.	before a notary public or a commissioner authorized to take affidavits to be used either in the provincial or Dominion courts.	
Documents annexed.	7. Each application shall be accompanied by two copies of the constitution, by-laws and rules proposed for the regulation of the affairs of the association.	10
Certificate of approval.	8. Upon the approval by the Minister of the application, constitution, by-laws and rules he shall cause one of the duplicates thereof to be registered in the Department of Agriculture and the other to be returned to the applicants, or some one of them, with a certificate endorsed thereon and signed by him in Form B in the Schedule to this Act.	15
Incorporation.	9. From the date of such certificate, the applicants and such other persons, partnerships and bodies corporate as become members of the association shall be a body corporate and politic under the name approved by the Minister.	20
Limitation.	10. Not more than one association for each distinct breed shall be incorporated under this Act.	
Constitution.	11. The constitution, by-laws or rules required under that Act shall provide for—	25
Name.	(a) the name of the association;	
Objects.	(b) the objects for which the association is to be incorporated;	
Membership.	(c) the admission, resignation, suspension and expulsion of members, ordinary or life, and the annual fee to be paid by ordinary members and the fee, if any, to be paid by life members;	30
Head office.	(d) the place within Canada where the head office of the association and of the branch offices, if any, are to be situated;	35
Officers.	(e) the officers of the association, their election, the duties of each and the filling of vacancies;	
Meetings.	(f) the convening of general, annual and special meetings of the association;	
Audit.	(g) the audit of the accounts of the association;	40
Registration of pedigrees.	(h) the registration of pedigrees of the particular breeds of the species of animals the recording of which is within the powers of the association. The rules shall clearly define what animals shall be	

eligible for registration in the records of the association;

- 5 (i) the annual report of the officers, and a detailed statement, duly audited, of receipts and expenditures for the preceding year and of the assets and liabilities; Annual report.
- (j) the keeping of a book by the secretary at the head office of the association, and by the proper officer at each branch office, wherein shall be written or printed a copy of the constitution, by-laws and rules of the association, with all amendments thereof; which books shall, at all reasonable times, be open to the inspection of members of the association, who shall have the right freely to make copies thereof; Books.
- 10 (k) a corporate seal. Seal.
- 15 **12.** The constitution, by-laws or rules may provide for— Joint operation with other associations.
- (a) the exercise, in conjunction with any other association, of any of the powers or functions of the association through a common officer or officers appointed under the constitution and rules of the National Live Stock Record Board;
- 20 (b) the governing of the affairs of the association generally. Generally.
- 13.** No amendment or repeal of any constitution, by-law, or rule shall have any force or effect until it has been approved by the Minister and registered in the Department of Agriculture. Amendment of constitution and by-laws.
- 25 2. The Minister, before approving of any such amendment or repeal, may require evidence by affidavit or statutory declaration that all formalities and requirements under the constitution, by-laws and rules have been complied with. Evidence required.
- 30 **14.** The constitution, by-laws and rules of the association shall be binding on the association and the members thereof in the same manner and to the same extent as if each member had subscribed his name and affixed his seal thereto. Binding effect of constitution.
- 35 **15.** The liability of a member of an association shall be limited to the amount due for his membership and registration fees. Limited liability.
- 16.** An association may— Powers.
- 40 (a) acquire, hold and dispose of any real or personal property necessary for the carrying out of the objects of the association; Property.

- Notes and bills. (b) draw, make, accept, endorse, discount, execute and issue promissory notes and bills of exchange and other negotiable instruments;
- Funds. (c) use the funds of the association for any purpose calculated to benefit the particular breed or species of animals mentioned in the application, including grants to exhibitions. 5
- A approval of certificates of registration. **17.** If provided by the constitution, or on the request of an association, which request has been authorized at the annual meeting or at a special general meeting of the association duly called for that purpose, the Minister may, under the hand of an officer of his department, duly authorized, and under the seal of his department, or such other seal as is adopted for that purpose, approve of the certificates of registration issued by such association. 15
- False or fraudulent statements as to pedigrees. **18.** Every person who wilfully signs or presents, or causes or procures to be signed or presented, to the recording officer of an association or to the accountant or other person in charge of the Canadian National Live Stock Records a declaration or application for registration of any animal by any association containing a false or fraudulent statement regarding the age, colour, breeding or pedigree of such animal, shall be guilty of an offence against this Act, and shall upon conviction upon information laid within two years of the commission of the offence incur a penalty of not less than one hundred dollars and not exceeding five hundred dollars. 20
- Penalty. **19.** The Governor in Council may make such orders and regulations, not inconsistent with this Act, as to him seems necessary for carrying out the provisions of this Act. 30
- Regulations. **2.** Such orders and regulations shall have the same force and effect as if embodied in this Act.
- Effect. **3.** Every such order or regulation shall be published in two issues of *The Canada Gazette*.
- Publication. **4.** Any such order or regulation may be proved by the production of a copy thereof certified under the hand of the Minister and shall, until the contrary is proved, be deemed to have been duly made, published and issued on the date thereof. 35
- Proof. **20.** Every offence against this Act or against any order or regulation of the Governor in Council shall, for the purpose of proceedings under this Act or under such order or regulation, be deemed to have been committed and every cause of complaint thereunder shall be deemed to have arisen either in the place in which it actually was committed 45
- Venue.

or arose or in any place in which the person charged or complained against happens to be.

21. Every penalty imposed by this Act shall be recoverable with costs before any two justices of the peace, or any 5 magistrate having the powers of two justices of the peace under Part XV of *The Criminal Code*. Recovery of penalties.

22. A copy of the annual report, the annual statement of receipts and expenditures and of the assets and liabilities, and a list of the officers, shall be sent by the secretary to 10 the Minister by post within twenty days after each annual meeting of an association. Reports sent to Minister.

23. If an association ceases for twelve consecutive months to do business as required by its constitution, by-laws and rules, or if the Minister is satisfied, after an 15 inquiry at which the association was given due notice to appear, that the business of the association is not being properly conducted, the Minister may declare the corporate powers of the association at an end, and the affairs of the association shall be wound up in accordance with 20 such regulations as the Governor in Council may make in that behalf. Cancellation of corporate powers.

24. Chapter 131 of the Revised Statutes, 1906, is 25 repealed. R.S., c. 131 repealed.

SCHEDULE.

FORM A.

APPLICATION FOR INCORPORATION.

We, the undersigned [*set out the names in full, places of residence and occupations*] hereby apply for incorporation as an association under "The Live Stock Pedigree Act."

The name of the association is to be, [*name of association*].

The objects for which the association is to be formed are:—

1. To keep a record of the pedigrees of pure bred [*name of breed and species of animals*].

2. The objects set out in the constitution and by-laws accompanying this application.

[*If any special powers are asked set them out clearly in the objects in the constitution*].

The names, in full, places of residence and occupations of the officers of the association are:—[Set out in full, no initials].

The constitution, by-laws and rules of the association are as follows:—[Set out in full].

Dated at.....this.....day of..... 19....

WITNESS

[Signatures of witnesses.]

[Signatures of applicants.]

Affidavit of Execution.

I, [name in full, place of residence and occupation] make oath and say:—

1. That I know [name of applicants in full] named in the foregoing [or annexed] application.

2. That I was personally present and did see the said application, and duplicate thereof, executed by each of the said applicants.

3. That I am a subscribing witness to the said application and duplicate.

SWORN before me at....., }
this.....day of....., 19.. } [Signature of witness.]

A notary public, [or a commissioner, etc].

[Note.—If all the applicants do not sign before the one witness, insert in the affidavit the names only of those whom the witness saw sign, and so on for each witness.]

FORM B.

CERTIFICATE.

By virtue of the power vested in me by "The Live Stock Pedigree Act," I certify that the within application and the constitution, by-laws and rules incorporated therein, are hereby approved this day of 19....

.....
Minister of Agriculture.

THE HOUSE OF COMMONS OF CANADA
BILL 107

AN ACT TO AMEND THE
MILITARY SERVICE ACT
AND TO AMEND THE
MILITARY SERVICE REGULATIONS

Printed at the King's Printer, Ottawa, 1972
MINISTER OF DEFENCE
1972

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THE HOUSE OF COMMONS OF CANADA

THE HOUSE OF COMMONS OF CANADA

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THE HOUSE OF COMMONS OF CANADA

THE HOUSE OF COMMONS OF CANADA

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 167.

An Act respecting the incorporation of
Live Stock Record Associations.

First reading, March 20, 1912.

MR. BURRELL.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 168.

An Act to amend the Exchequer Court Act.

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

1. Section 4 of *The Exchequer Court Act*, chapter 140 of the Revised Statutes, 1906, is repealed and the following is substituted therefor:—

R.S., c. 140,
new s. 4.

“4. The Exchequer Court shall consist of one judge and one assistant judge, who shall be appointed by the Governor in Council by letters patent under the Great Seal.

Constitution
of court.

“2. The assistant judge shall have and may exercise all the powers, jurisdiction and authority of the judge of the Court, and he shall be subject to all provisions of the said Act affecting the judge of the Court, except as provided by sections 87 and 88 of this Act respecting rules and orders.”

Assistant
judge.

2. Section 2 of chapter 27 of the statutes of 1908 is repealed, and in lieu thereof it is enacted that the jurisdiction heretofore exercised by the registrar, pursuant to the general rules and orders of the Court under the authority of the said section, shall hereafter be exercised by the assistant judge, in so far as such jurisdiction is not directly exercised by the judge of the Court; also that the assistant judge, notwithstanding any order of reference to the registrar heretofore made, may take or conclude the taking of the evidence in any pending action heretofore referred to the registrar to take the evidence, or to take the evidence and report, and may hear and determine such action, and for such purpose the evidence taken by the registrar shall be used: Provided that nothing in this section shall affect the powers of the registrar in respect of any action, proceeding or reference now pending before him, in so far as such powers have not been actually assumed or executed by the assistant judge.

1908, c. 27
amended.

Jurisdiction
of assistant
judge.

Proviso as
to cases
pending
before
registrar.

THE HOUSE OF COMMONS
OF CANADA.

BILL 168.

An Act to amend the Exchequer Court
Act.

First reading, March 20, 1912.

MR. DOHERTY.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 169.

An Act to amend the Bank Act.

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

1. This Act may be cited as *The Bank Charters Contin-* Short_title.
5 *uation Act, 1912.*

2. The charters or Acts of incorporation, and any Acts Bank
in amendment thereof, of the several banks enumerated in charters
the Schedule to this Act, which expire by virtue of the continued to
operation of section 1 of chapter 4 of the statutes of 1911, July 1, 1913
10 intituled *An Act to amend the Bank Act*, are continued in as to some
force until the first day of July, one thousand nine hundred particulars.
and thirteen, so far as regards, as to each of such banks,—

- (a) the incorporation and corporate name;
- (b) the amount of the authorized capital stock;
- 15 (c) the amount of each share of such stock; and
- (d) the chief place of business;

subject to the right of each of such banks to increase or reduce its authorized capital stock in the manner hereinafter provided.

20 2. As to all other particulars *The Bank Act* shall form As to other
and be the charter of each of the said banks until the first particulars.
day of July, one thousand nine hundred and thirteen.

3. Nothing in this Act shall be deemed to continue in Forfeited or
force any charter or Act of incorporation if, or in so far as void charters
25 it is, under the terms thereof, or under the terms of *The* not continued
Bank Act or of any other Act passed or to be passed, forfeited

or rendered void by reason of the non-performance of the conditions of such charter or Act of incorporation, or by reason of insolvency, or for any other reason.

1908, c. 7
repealed.

R.S., c. 29
new ss. 61,
147A.

Issue of
notes.

4. Chapter 7 of the statutes of 1908 is repealed and the following sections are enacted as sections 61 and 147A 10 respectively of *The Bank Act*:—

“61. The bank may issue and re-issue its notes payable to bearer on demand and intended for circulation: Provided that—

“(a) the bank shall not, during any period of suspension 15 of payment of its liabilities, issue or re-issue any of its notes; and

“(b) if, after any such suspension, the bank resumes 20 business without the consent in writing of the curator, hereinafter provided for, it shall not issue or re-issue any of its notes until authorized by the Treasury Board so to do.

\$5, or
multiples
thereof.

Amount
limited.

Additional
issue during
moving of
crops.

“2. No such note shall be for a sum less than five dollars, or for any sum which is not a multiple of five dollars.

“3. The total amount of such notes in circulation at any 25 time shall not exceed the amount of the unimpaired paid-up capital of the bank: Provided that, during the usual season of moving the crops, that is to say, from and including the first day of September in any year to and including the last 30 day of February next ensuing, in addition to the said amount of notes hereinbefore authorized to be issued for circulation, the bank may issue its notes, to an amount not exceeding fifteen per cent of the combined unimpaired paid-up capital and rest or reserve fund of the bank as stated in the statutory 35 monthly return made by the bank to the Minister for the month immediately preceding that in which the additional amount is issued.

Notice of
additional
issue.

“4. Whenever, under the authority of the proviso to the next preceding subsection of this section, the issue of an additional amount of notes of the bank has been made, the 40 general manager, or other chief executive officer of the bank for the time being, shall forthwith give notice thereof by registered letter addressed to the Minister and to the president of the Canadian Bankers' Association.

Interest on
additional
issue.

“5. While its notes in circulation are in excess of the 45 amount of its unimpaired paid-up capital, the bank shall pay interest to the Minister at such rate, not exceeding five per cent per annum, as is fixed by the Governor in Council, on the amount of its notes in circulation in excess from day to day; and the interest so paid shall form part of the 50 Consolidated Revenue Fund of Canada.

Return by
bank.

“6. A return shall be made and sent by the bank to the Minister showing the amount of its notes in circulation for

each juridical day during any month in which any amount of notes in excess as aforesaid has been issued or is outstanding.

5 "7. Such return shall be made up and sent within the first fifteen days of the month next after that in which any such amount in excess has been issued or is outstanding, and shall be accompanied by declarations in the form prescribed in Schedule D to this Act, and shall be signed by the persons required to sign the monthly returns made under section 112 of this Act.

Time and form of return.

10 "8. The provisions of section 153 of this Act shall apply to the return mentioned in the next preceding subsection.

False return.

15 "9. Notwithstanding anything in this section hereinbefore contained, the total amount of such notes of the Bank of British North America in circulation at any time shall not exceed seventy-five per cent of the unimpaired paid-up capital of the bank: Provided that,—

Bank of British North America.

20 "(a) the bank may issue its notes in excess of the said seventy-five per cent upon depositing with the Minister, in respect of the excess, in cash or bonds of the Dominion of Canada, an amount equal to the excess; and the cash or bonds so deposited shall, in the event of the suspension of the bank, be available by the Minister for the redemption of the notes issued in excess as aforesaid; and

25 "(b) the total amount of such notes of the bank in circulation at any time shall not, except as in paragraph (c) of this subsection authorized, exceed its unimpaired paid-up capital;

30 "(c) the bank may, during the said season of moving of crops, in addition to the circulation of its notes hereinbefore in this subsection authorized, issue its notes to an amount not exceeding ten per cent of the combined unimpaired paid-up capital and reserve or rest fund of the bank as stated in the statutory return made by the bank for the month immediately preceding that in which the said additional amount is issued; and the said additional amount shall be otherwise subject to all the provisions of this section respecting circulation in addition to or in excess of the unimpaired paid-up capital permitted to other banks.

35 "10. All notes issued or re-issued by any bank, and now in circulation, which are for a sum less than five dollars, or for a sum which is not a multiple of five dollars, shall be called in and cancelled as soon as practicable.

Calling in of notes under \$5 or not multiples of \$5.

40 "147A. Every bank which neglects to make and send to the Minister within the first fifteen days of the month next thereafter a return showing the amount of its notes in

Penalty for not making return of

additional
issue of
notes.

circulation for each juridical day during any month in the usual season of moving the crops, that is to say, from and including the first day of September in any year to and including the last day of February next ensuing, in which any amount of its notes in excess of the amount of the unimpaired paid-up capital of the bank has been issued or is outstanding, and signed in the manner and by the persons by this Act required, shall incur a penalty of fifty dollars for each and every day, after the expiration of such time, during which the bank neglects to make and send in such return."

5

SCHEDULE.

1. The Bank of Montreal.
2. The Bank of New Brunswick.
3. The Quebec Bank.
4. The Bank of Nova Scotia.
5. The St. Stephen's Bank.
6. The Bank of Toronto.
7. The Molsons Bank.
8. The Eastern Townships Bank.
9. The Union Bank of Halifax.
10. The Ontario Bank.
11. La Banque Nationale.
12. The Merchants Bank of Canada.
13. La Banque Provinciale du Canada.
14. The People's Bank of New Brunswick.
15. The Union Bank of Canada.
16. The Canadian Bank of Commerce.
17. The Royal Bank of Canada.
18. The Dominion Bank.
19. The Bank of Hamilton.
20. The Standard Bank of Canada.
21. La Banque de St. Jean.
22. La Banque d'Hochelega.
23. La Banque de St. Hyacinthe.
24. The Bank of Ottawa.
25. The Imperial Bank of Canada.
26. The Western Bank of Canada.
27. The Traders' Bank of Canada.
28. The Sovereign Bank of Canada.
29. The Metropolitan Bank.
30. The Northern Crown Bank.
31. The Home Bank of Canada.
32. The Sterling Bank of Canada.
33. The United Empire Bank of Canada.
34. The Farmers Bank of Canada.
35. The Bank of Vancouver.
36. The Weyburn Security Bank.
37. Banque Internationale du Canada.

THE HOUSE OF COMMONS
OF CANADA.

BILL 169.

An Act to amend the Bank Act.

First reading, March 20, 1912.

MR. WHITE,
(Leeds.)

THE HOUSE OF COMMONS OF CANADA.

BILL 170.

An Act to amend the Quebec Savings Banks Act.

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

- 1.** The charters of the Montreal City and District Savings Bank and of *La Caisse d'Economie de Notre Dame de Québec*, which expire on the first day of July, one thousand nine hundred and twelve, by virtue of the operation of section 1 of chapter 21 of the statutes of 1911, are hereby continued and shall remain in force until the first day of July, one thousand nine hundred and thirteen, except in so far as they, or either of them, are or become forfeited or void under the terms thereof, or of *The Quebec Savings Bank Act*, chapter 32 of the Revised Statutes, 1906, or of any other Act heretofore or hereafter passed relating to the said savings banks by non-performance of the conditions of such charters or Acts respectively, or by insolvency, or otherwise.
- Certain charters continued. 1911, c. 21. R.S., c. 32.

THE HOUSE OF COMMONS
OF CANADA.

BILL 170.

An Act to amend the Quebec Savings
Banks Act.

First reading, March 20, 1912.

MR. WHITE,
(Leeds.)

THE HOUSE OF COMMONS OF CANADA.

BILL 171.

An Act to amend the Militia Act.

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

1. Sections 42, 43 and 44 of *The Militia Act*, chapter 41 of the Revised Statutes, 1906, are repealed and the following sections are substituted therefor:—

R.S., c. 41,
new ss. 42,
43, 44.

“42. In time of peace no officer shall be appointed to a higher permanent rank in the Militia than that of major-general or surgeon-general, and the number of such appointments and the qualification for such rank shall be as prescribed.”

Rank in time
of peace.

“43. Whenever the Militia is called out on active service during an emergency, the Governor in Council may appoint officers to a rank superior to that of major general.”

Rank when
called out.

“44. The honorary rank of major general or surgeon-general may, for valuable services rendered to the country, be conferred on retirement upon colonels who have held the higher staff appointments.”

Honorary
rank on
retirement.

2. Paragraph (c) of section 64 of the said Act is repealed and the following is substituted therefor:—

S. 64
amended.

“(c) authorize cadet corps, or any portion thereof, or any members thereof, to drill or train for a period of not more than thirty days in each year.”

Cadet corps.

THE HOUSE OF COMMONS
OF CANADA.

BILL 171.

An Act to amend the Militia Act.

First reading, March 20, 1912.

MR. HUGHES,
(Victoria.)

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

THE HOUSE OF COMMONS OF CANADA.

BILL 178.

An Act to provide an additional Annual Grant to the Province of Prince Edward Island.

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

1. This Act may be cited as *The Prince Edward Island* Short title.
5 *Subsidy Act, 1912.*

2. There shall be paid to the province of Prince Edward Annual grant
Island, in addition to the sums now authorized by law, to P. E. I.
an annual grant of one hundred thousand dollars, one increased.
half of which shall become payable on the first day of July
10 and one half on the first day of January in every year,
beginning with the first day of July, one thousand nine
hundred and twelve.

THE HOUSE OF COMMONS
OF CANADA.

BILL 178.

An Act to provide an additional Annual
Grant to the Province of Prince
Edward Island.

First reading, March 22, 1912.

MR. WHITE,
(Leeds).

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

THE HOUSE OF COMMONS OF CANADA.

BILL 179.

An Act to amend the Civil Service Act.

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

1. The Governor in Council may establish at Ottawa a Rural mail delivery branch of the Post Office Department to be known as the "Rural Mail Delivery Branch."

2. The said branch shall consist of (a) a superintendent and such other employees as are required, all of whom shall be in the Inside Service; and (b) the post office inspectors and their staffs, all of whom shall be in the Outside Service.

3. The Postmaster General may also employ such other persons as are required who, by reason of special skill or intimate knowledge of the district, may be of service in facilitating the progress of laying out the routes and other work incidental to the rural mail delivery service. Such persons shall, out of the appropriation provided by Parliament for the said service, be paid such amounts as are determined by the Postmaster General.

2. The Governor in Council may, from the Post Office service, appoint two clerks to be known as "case examiners." Such clerks shall be attached to the staff of such post office inspector or inspectors as the Postmaster General determines. The salary of such clerks on appointment shall be one thousand eight hundred dollars, with an annual increase of one hundred dollars up to a maximum of two thousand two hundred dollars.

Rural mail delivery branch.

Constitution of branch.

Temporary employees.

Case examiners.

179

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

THE HOUSE OF COMMONS OF CANADA

BILL 179

An Act to amend the Civil Service Act

Printed by the Queen's Printer, Ottawa

1911-12

179

Printed by the Queen's Printer, Ottawa

1911-12

THE HOUSE OF COMMONS
OF CANADA.

BILL 179.

An Act to amend the Civil Service Act

First reading, March 22, 1912.

MR. PELLETIER.

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 HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Dry Docks Subsidies Act, 1910.

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

1. This Act may be cited as *The Dry Docks Amendment Act, 1912.* Short title.

2. Paragraph (1) of section 7 of *The Dry Docks Subsidies Act, 1910*, is repealed and the following is substituted therefor:—

“(1) Dry docks of the first class, for naval and general purposes, costing for the purposes of subsidy calculation not more than five million five hundred thousand dollars in the case of dry docks specified in subparagraph (a) hereunder, and not more than four million dollars in the case of dry docks specified in subparagraph (b) hereunder; being:—

10 (a) dry docks, other than floating dry docks, of dimensions when completed of not less than the principal dimensions next hereinafter mentioned, that is to say, clear length on bottom from caisson groove or hollow-quin to head, eleven hundred and fifty feet, clear width of entrance one hundred and ten feet, depth of water over the sill, at high water ordinary spring tides, thirty-seven feet; and

20 (b) floating dry docks, of a lifting capacity of at least twenty-five thousand tons, in which vessels can with ease and safety be received and repaired:—

25 “provided, however, that any such dry dock shall not, for the purposes of this Act, be deemed to be a dry dock of the

Dry docks of first class.

1910, c. 17, s. 7 amended.

Proviso as to British Navy.

first class unless there can be received and repaired therein with ease and safety the largest ships or vessels of the British Navy existing at the time at which the contract is entered into."

Application of 1910, c. 17.

3. Except as herein specifically varied, all the provisions of *The Dry Docks Subsidies Act, 1910*, shall apply to any dock constructed under this Act. 5

THE HOUSE OF COMMONS OF CANADA

BILL 180.

An Act to amend the Dry Docks Subsidies Act, 1910.

His Majesty by and with the advice and consent of the Senate and House of Commons in Parliament assembled, enacts as follows:

1. This Act may be cited as *The Dry Docks Subsidies Amendment Act, 1911*.

2. Paragraph 1 of section 7 of the Dry Docks Subsidies Act, 1910, is repealed and the following substituted therefor:

(1) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, for purposes existing for the purposes of that Act, and not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

(2) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, and which is not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

(3) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, and which is not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

(4) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, and which is not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

(5) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, and which is not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

(6) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, and which is not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

(7) Any dock of the British Navy, the construction of which is authorized by the Dry Docks Subsidies Act, 1910, and which is not more than five million cubic feet in capacity, shall be deemed to be a dock of the British Navy for the purposes of that Act, and the provisions of that Act shall apply to such dock as if it were a dock of the British Navy.

180.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 180.

An Act to amend the Dry Docks Subsidies Act, 1910.

First reading, March 25, 1912.

Mr. Monk.

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 HOUSE OF COMMONS OF CANADA.

BILL 181.

An Act to amend the Yukon Placer Mining Act.

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

1. Section 22 of chapter 77 of the statutes of 1908 is
5 repealed and the following is enacted as section 51 of *The
Yukon Placer Mining Act*, chapter 64 of the Revised Statutes,
1906, hereinafter called "the principal Act":—

R. S., c. 64,
new s. 51,
1908, c. 77
amended.

10 "51. Upon application being made to him by any person
or persons owning adjoining claims not exceeding ten in
number, the Mining Recorder may grant permission, for a
term not exceeding five years, to any such person or persons
to perform on any one or more of such claims all the work
required to entitle him or them to a renewal grant for each
claim so held by him or them: Provided that, where the
15 application is made by more than one person, the applicants
shall file with the Mining Recorder a deed of partnership
creating a joint liability between the owners of the claims
for the joint working thereof.

Performance
of work
by owners
of adjoining
claims.

20 "2. If, however, application is made for permission to
include in one group more than ten placer mining claims
owned by one individual, company or group of individuals
included in a registered partnership, and if upon the report
of the Mining Inspector it is shown to the satisfaction of
the Gold Commissioner that such claims are to be operated
25 by a system of mining on a large scale, which has a direct
bearing upon all of the claims affected, and renders a
considerable area necessary to successful operation by the
system proposed, the permission provided for by this

If claims
are not all
contiguous.

section may be granted for a period of not more than five years, with the approval of the Commissioner, with respect to such claims, notwithstanding that they are more than ten in number and not all contiguous; such permission, however, to be subject to cancellation at any time by the Gold Commissioner, after sixty days' notice to the persons interested, in case it appears from the evidence contained in the application for the renewal of the claims affected, or from the report of the Mining Inspector, that the system of mining contemplated when the permission to group was granted is not being installed or operated with reasonable diligence."

Note.—The *Yukon Placer Mining Act* provides that \$200 worth of representation work shall be done each year on a claim, or on one or more of the claims included in a group. If one claim on a creek is being operated, the non-resident, or the speculator, who has acquired claims on the same creek, or anywhere in the locality, may, by making an arrangement with this one operator, group other claims with his, and so have such claims represented from year to year by the necessary expenditure which the operator is forced to incur in order to recover the gold from his claim. This system retards the development of the Territory, and it is considered that the grouping of more than 10 claims should be allowed only when they are held by one interest, and are being operated by dredging, hydraulicing or some other extensive form of mining.

New s. 74.

2. Section 74 of the principal Act, and section 29 of the statutes of 1908, are repealed and the following is enacted as section 74 of the principal Act:—

Board of arbitrators to determine disputes.

"74. In the event of any dispute between owners of claims or lessees of locations with respect to the distribution of water or the boundaries of claims or to dumping or any other matter referred to in the next following section, such dispute may be heard and determined by a board of arbitrators to be appointed as follows: The Gold Commissioner, upon the request of any such owner or lessee for the appointment of a board of arbitrators and upon being furnished with a statement of the matter complained of clearly expressed in writing, shall notify each owner and lessee specified in such request to appoint an arbitrator, and in case such owner or lessee refuses or neglects to appoint an arbitrator within thirty days from the date of such notification the Gold Commissioner, upon being requested so to do by the arbitrator or arbitrators appointed, or by any interested owner or lessee, shall appoint such arbitrator or arbitrators. In the event of the total number of arbitrators so appointed being an even number, an additional arbitrator shall be appointed by such arbitrators.

Appointment of arbitrators.

When Gold Commissioner to appoint additional arbitrator.

"2. In the event of the arbitrators so appointed being an even number, and being unable to agree upon the additional arbitrator, or failing to do so within five days from the date upon which the last arbitrator was appointed, the Gold Commissioner, upon being requested so to do by

the arbitrators so appointed or by any interested owner or lessee, shall appoint the additional arbitrator.

“3. The arbitrators shall be entitled to be paid a per diem allowance of ten dollars, together with necessary travelling and living expenses, while actually engaged in the arbitration, and the costs of such arbitration, including the cost of any examination of the property which may be found necessary, shall be borne by such owners or lessees as are parties to the dispute, and in the proportion set out in the award of the arbitrators.

Costs of arbitration.

“4. The procedure in all cases before a board of arbitrators under this Act shall be in accordance with rules prepared by the Gold Commissioner and approved by the Commissioner.”

Procedure.

Note.—There is no provision in the Act for the appointment of an arbitrator to represent any particular interest in the event of the owner of such interest refusing or neglecting to appoint such arbitrator, nor is there any time limit within which the arbitrators, being an even number, shall agree upon an additional arbitrator.

15 **3.** Section 75 of the principal Act is repealed and the following is substituted therefor:—

New s. 75.

“75. Except as hereinafter provided, no person mining upon any claim shall cause damage or injury to the holder of any claim other than his own by throwing earth, clay, stones or other material upon such other claim, or by causing or allowing water which may be pumped or bailed or may flow from his own claim, to flow into or upon such other claim.

Damages by dumping, etc.

“2. If the owner of a claim wishes to deposit the leavings, deads, waste or tailings therefrom on any adjacent claim, or on any other adjacent mining property, whether the same was acquired under the provisions of this Act or any other Act, order in council or regulation governing mining in the Yukon Territory, which claim or mining property is of not less than five years' standing, or if such owner wishes to cause or allow water which may be pumped or bailed or may flow from his own claim to flow into or upon such other claim or mining property, he may give one month's notice of such desire in writing to the owner or lessee of such adjacent claim or property, and if, at the expiration of the month the owner giving the said notice and the owner or lessee of the said adjacent claim or mining property has not been able to arrive at an agreement as to the price to be paid for the dumping ground or for damages caused by such flow of water, the owner giving notice may apply to the Gold Commissioner to have the value and size of the dumping ground determined by the said board of arbitrators, and the said board shall have power to permit

When owner of claim may deposit leavings, etc., on adjacent claim.

so much of the said adjacent claim or property to be used for dumping and at such a price as the said board of arbitrators deems just."

Note.—The Act at present provides that this dumping privilege may be acquired in respect of an adjacent placer mining claim only, whereas the operator frequently finds it necessary to dump refuse on an hydraulic location or a quartz mining claim. The amendment is designed to extend the dumping privilege to any adjacent mining claim or adjacent mining property.

THE HOUSE OF COMMONS
OF CANADA.

BILL 181.

An Act to amend the Yukon Placer
Mining Act.

First reading, March 25, 1912.

MR. ROGERS.

OTTAWA

Printed by C. H. PARMEER

Printer to the King's most Excellent Majesty/
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 182.

An Act respecting the Government House property,
Toronto.

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

1. The site of the Ontario Government House, situated
5 in the city of Toronto, bounded by Wellington, John, King
and Simcoe streets, and containing two hundred and sixty-
six thousand one hundred and fifty-one square feet English
measure, more or less, is hereby appropriated for the use
of the government of the province of Ontario within the
10 meaning of "The British North America Act, 1867,"
and the Schedules thereto.

Government
House
property,
Toronto,
appropriated
for use of
Province.

2. The order in council dated the fourteenth day of
February, one thousand eight hundred and seventy-one,
appropriating and transferring to the government of the
15 province of Ontario the lands above described and letters
patent dated the fifteenth day of January, one thousand
nine hundred and eight, declaring the said lands to have
been transferred, shall be and be deemed to be an appropria-
tion of the said lands for the use of the provincial legislature
20 of the province of Ontario, within the meaning of "The
British North America Act, 1867," and such lands, from
and after the date of such order in council, are declared to
have been and are now the property of the province of
Ontario.

Order in
council
and letters
patent
confirmed.

THE HOUSE OF COMMONS
OF CANADA.

BILL 182.

An Act respecting the Government
House property, Toronto.

First reading, March 25, 1912.

MR. DOHERTY.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 183.

An Act to authorize the granting of Subsidies in aid of the construction of the railways and bridges therein mentioned.

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

1. This Act may be cited as *The Railway Subsidies* Short title.
5 *Act, 1912.*

2. The Governor in Council may grant a subsidy of Subsidies for railways.
\$3,200 per mile towards the construction of each of the undermentioned lines of railway (not exceeding in any case the number of miles hereinafter respectively stated) which shall not cost more on the average than \$15,000 per mile for the mileage subsidized, and towards the construction of each of the said lines of railway, not exceeding the mileage hereinafter stated, which shall cost more on the average than \$15,000 per mile for the mileage subsidized, a further
15 subsidy beyond the sum of \$3,200 per mile of fifty per cent on so much of the average cost of the mileage subsidized as is in excess of \$15,000 per mile, such subsidy not exceeding in the whole the sum of \$6,400 per mile:—

1. For a line of railway from Liverpool, via Milton, to
20 Caledonia, Nova Scotia, in lieu of the subsidy granted by chapter 40 of 1907, section 1, item 5; not exceeding 30 miles.

2. For a line of railway from St. John to Grand Falls, New Brunswick, exclusive of a railway bridge across the
25 Kennebecasis River, at or near Perry Point, and two railway bridges across the St. John River, one at or near Mistake and one at or near Andover; in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 12; not exceeding 228 miles.

3. To the L'Avenir and Melbourne Railway Company for a line of railway from Melbourne to Drummondville, in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 22; not exceeding 28 miles.

4. To the Ha' Ha' Bay Railway Company for the following lines of railway:—

(a) from a point on the Quebec and Lake St. John Railway in the township of Jonquières, at or near St. Mathias, to Ha' Ha' Bay; not exceeding 20 miles.

(b) from Labrosse Junction to the Saguenay River, 10 northerly through the town of Chicoutimi; not exceeding 5 miles.

(c) from La Terrière Junction, southerly, to Lake Kenogami, via La Terrière village; not exceeding 12 miles.

(d) from a point on the Ha' Ha' Bay Railway, at or near 15 Bagotville village, easterly, to the village of St. Alexis; not exceeding 3 miles.

the said subsidies sub-items (a), (c) and (d) being granted in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 27; and the subsidy sub-item (b) being granted in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 19, sub-item (g); not exceeding in all 40 miles.

5. For a line of railway at or near Ste. Agathe des Monts station towards the township of Howard, in the county of Argenteuil, passing near Lake St. Joseph and St. Mary 25 in a southerly direction, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 26; not exceeding 15 miles.

6. To the Interprovincial and James Bay Railway Company, for a line of railway from a point on the Lake 30 Temiscamingue Colonization Railway at or near Timiskaming to or towards the De Quinze River; in lieu of the subsidy granted by chapter 43 of 1906, section 1, item 42; not exceeding 50 miles.

7. To the Canadian Northern Quebec Railway Company, 35 for a line of railway from a point at or near Arundel to a point in the municipality of the united townships of Preston and Hartwell, in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 17; not exceeding 30 miles.

8. To the Quebec and Saguenay Railway Company, 40 for the following lines of railway:—

(a) from St. Joachim, northeasterly; not exceeding 62.8 miles.

(b) from a point 62.8 miles northeasterly from St. Joachim towards Seven Islands; not exceeding 107.2 45 miles;

the said subsidies being granted in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 25; not exceeding in all 170 miles.

9. For a line of railway from a point at or near Montreal to a point at or near Mile 837 west of Moncton on the National Transcontinental Railway, in lieu of subsidy granted by chapter 51 of 1910, section 1, item 45; not exceeding 200 miles.

10. To the Algoma Central and Hudson Bay Railway Company, for the following lines of railway:—

(a) from Sault Ste. Marie to a point on the Canadian Pacific Railway between White River and Dalton stations in the district of Algoma; not exceeding 200 miles;

(b) from Michipicoten Harbour, Lake Superior, towards the main line of the Canadian Pacific Railway; not exceeding 25 miles;

15 (c) from a point on the Canadian Pacific Railway, northerly, towards the National Transcontinental Railway; not exceeding 50 miles;

the said subsidies being granted in lieu of the subsidies granted by chapter 51 of 1910, section 1, item 30; not exceeding in all 275 miles.

11. To the Algoma Eastern Railway Company (formerly the Manitoulin and North Shore Railway Company) for the following lines of railway:—

25 (a) from a point on the said company's line of railway between Little Current and Sudbury, westerly towards the Algoma Central and Hudson Bay Railway; not exceeding 76 miles;

(b) from a point at or near Sudbury, northerly; not exceeding 30 miles;

30 the said subsidies being granted in lieu of the subsidies granted by chapter 51 of 1910, section 1, item 29, sub-items (a) and (c) respectively; not exceeding in all 106 miles.

12. To the Tilsonburg, Lake Erie and Pacific Railway Company, for a line of railway from Ingersoll to Stratford, or to a point on the Grand Trunk Railway between Berlin and Stratford, in lieu of the subsidy granted by chapter 40 of 1907, section 1, item 12; not exceeding 35 miles.

13. To the Lac Seul, Rat Portage and Keewatin Railway Company, for a line of railway from a point at or near Kenora to the National Transcontinental Railway, in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 32; not exceeding 22 miles.

14. To the Toronto, Lindsay and Pembroke Railway Company, for a line of railway from Golden Lake to Bancroft, in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 38; not exceeding 51 miles.

15. To the Canadian Pacific Railway Company, for a line of railway from a point at or near Teulon to a point on the Icelandic River, in lieu of the subsidy granted by chapter 43 of 1906, section 1, item 27; not exceeding 35 miles.

16. To the Vancouver, Westminster and Yukon Railway Company, for a line of railway from Vancouver via Second Narrows of Burrard Inlet, northerly, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 55; not exceeding 100 miles. 5

17. To the Kootenay Central Railway Company, for the following lines of railway:—

(a) from Golden via Windermere and Fort Steele to a point on the British Columbia Southern Railway at or near Jukeson; not exceeding 175 miles; 10

(b) from a point on the British Columbia Southern Railway at or near Caithness towards the International boundary; not exceeding 25 miles.

the said subsidies being granted in lieu of the subsidy granted by chapter 51 of 1910, section 1, item 43; not exceeding in all 200 miles. 15

18. To the Kettle Valley Railway Company, for a line of railway from a point at or near Grand Forks to a point 50 miles up the North Fork, and East or West Fork of North Fork, of Kettle River, in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 1; not exceeding 50 miles. 20

19. To the Esquimalt and Nanaimo Company, for the following lines of railway:—

(a) from Wellington to Alberni; not exceeding 60 miles;

(b) from a point at or near McBride Junction to or towards the village of Sandwich; not exceeding 45 miles; 25

(c) from the village of Sandwich to Campbell River; not exceeding 38 miles;

the said subsidies being granted in lieu of the subsidies granted by chapter 40 of 1907, section 1, item 20, and chapter 63 of 1908, section 1, item 35; not exceeding in all 143 miles. 30

20. For a line of railway from a point on the Esquimalt and Nanaimo Railway, near Campbell River, towards Fort George, on the line of the Grand Trunk Pacific Railway in lieu of the subsidy granted by chapter 63 of 1908, section 1, item 54; not exceeding 100 miles. 35

21. To the Fredericton and Grand Lake Coal and Railway Company, for a line of railway from a point on the Intercolonial Railway at Gibson to a point at or near Minto, together with a branch line from a point on the above mentioned line to Marysville; not exceeding 35 miles. 40

22. To the Great Northern Mining and Railway Company, Limited, for a line of railway from Little River through Belle Marche to Eastern Harbour; not exceeding 3 miles. 45

23. To the Southampton Railway Company, for a line of railway from a point at or near Millville to a point on the St. John River near the Pokiok Bridge; not exceeding 13 miles.

24. To the Northern New Brunswick and Seaboard Railway Company, for a line of railway from the Drummond mines, at Austin Brook, a branch of the Nipisiguit River above Great Falls, in the county of Gloucester, to a point 5 on the Intercolonial Railway, and from such point to Alston Point, on the north side, or to Caron Point, on the south side of the entrance to Bathurst Harbour in the said county; not exceeding 26 miles.
25. To the North Shore Railway Company, for the 10 following lines of railway:—
- (a) from a point at or near Adamsville, in the county of Kent, to a point at or near Snowshoe Lake in the said county, connecting with the Grand Trunk Pacific Railway; not exceeding 20 miles;
- 15 (b) from Beersville, in the county of Kent, via Roxton, to a point at or near Richibucto Head, in the said county; not exceeding 20 miles;
- not exceeding in all 40 miles.
26. For a line of railway from a point at or near Albert 20 Mines in the county of Albert, via Hillsborough, to the city of Moncton; not exceeding 22 miles.
27. To the Quebec Central Railway Company, for the following lines of railway:—
- (a) for an extension of its line of railway from a point 25 (30 miles from St. George) in the parish of St. Justine, county of Dorchester, to a point in the parish of St. Sabine, in the county of Bellechasse; not exceeding 1.34 miles;
- (b) for an extension of its line of railway from a point 30 (31.34 miles from St. George) in the parish of St. Sabine, county of Bellechasse, to a point in the township of Dionne, county of L'Islet; not exceeding 50 miles; not exceeding in all 51.34 miles.
28. To the Canada and Gulf Terminal Railway Com- 35 pany, for a line of railway from Matane, easterly, to Gaspé Basin; not exceeding 200 miles.
29. To the Grand Lake and Bell River Railway Com- 40 pany, for a line of railway from a point on the National Transcontinental Railway, at or near Bell River, thence following the direction of Bell River to Twenty-one Mile Bay, an arm of Grand Lake, or to Rabbit Lake on the Ottawa River, in the county of Pontiac; not exceeding 45 miles.
30. To the St. Charles and Huron River Railway Com- 45 pany, for a line of railway from a point on the main line of the Quebec and Lake St. John Railway, at Indian Lorette station, thence up the valley of the St. Charles River in a northerly direction to Stoneham; not exceeding 7.5 miles.

31. For a line of railway from a point on the National Transcontinental Railway, at or near Mile 837 west of Moncton, in a northerly and northwesterly direction, to a point at or near the mouth of the Nottaway River on James Bay; not exceeding 300 miles. 5
32. To the Simcoe, Grey and Bruce Railway Company, in respect of fifty miles of its proposed railway between the towns of Kincardine and Orillia, the said fifty miles to include that portion of the said line connecting the towns of Owen Sound and Meaford. 10
33. To the Algoma Central and Hudson Bay Railway Company, for a line of railway from a point fifty miles northerly from the junction of its line of railway with the Canadian Pacific Railway, northerly to a junction with the National Transcontinental Railway, not exceeding 65 miles. 15
34. To the Rainy River Radical Railway Company, for a line of railway from a point on the northern boundary of the state of Minnesota at or near the town of Fort Frances, to a point on the Lake of the Woods, at or near the mouth of Little Grassy River; not exceeding 50 miles. 20
35. To the Lake Erie and Northern Railway Company, for the following lines of railway:—
- (a) from the town of Galt to Port Dover; not exceeding 58 miles;
 - (b) from the town of Paris (on the line from the town of Galt to Port Dover) to the village of Ayr; not exceeding 10 miles;
- not exceeding in all 68 miles. 25
36. To the Bruce Mines and Algoma Railway Company, for a line of railway from a point on its line of railway at or near Rock Lake Mine in a generally northerly and easterly direction to or towards a point on the main line of the Canadian Pacific Railway near the crossing of the said railway of the Winneboga River; not exceeding 50 miles. 30
37. To the Manitoba and North Western Railway Company, for a line of railway from a point at or near Hamiota to a point at or near Birtle; not exceeding 30 miles. 35
38. To the Alberta Pacific Railway Company, for a line of railway from a point at or near the town of Cardston in a north-westerly direction via Pincher Creek to a point on the Crow's Nest Pass Branch of the Canadian Pacific Railway Company at or near Lundbreck, thence northerly and west of the Porcupine Hills towards Calgary; not exceeding 100 miles. 40
39. To the Burrard Inlet Tunnel and Bridge Company, for the following lines of railway:— 45
- (a) from the town of Eburne on the Fraser River to a point at or near the mouth of Seymour Creek on the north shore of the Second Narrows; not exceeding 10 miles. 50

- (b) from a point at or near Seymour Creek on the north shore of the Second Narrows to Deep Cove on the north arm of Burrard Inlet; not exceeding 5 miles;
- 5 (c) from a point at or near Seymour Creek on the north shore of the Second Narrows to a point on Horseshoe Bay; not exceeding 14 miles;
- (d) from a point at or near Pender street in the city of Vancouver to a point at or near lot 264, North Vancouver; not exceeding 3 miles;
- 10 not exceeding in all 32 miles.
40. To the Caribou, Barkerville and Willow River Railway Company, for a line of railway from a point on the Grand Trunk Pacific Railway, at or near Eagle Lake, to a point on the Caribou Road at or near the town of Barker-
15 ville; not exceeding 107 miles.
41. To the Naas and Skeena Rivers Railway Company, for a line of railway from the Nasoga Gulf or some other point on the waters of the Portland Inlet or Naas River to or towards the anthracite coal deposits on the Skeena River
20 near Ground Hog Mountain; not exceeding 100 miles.
42. To the Kettle Valley Railway Company, for a line of railway from a point at or near Penticton on Okanagan Lake to a point on the International boundary; not exceeding 50 miles.
- 25 43. To the Calgary and Fernie Railway Company, for a line of railway from a point at or near the city of Calgary in the province of Alberta, in a south-westerly direction, via Kananaskis Pass and the headwaters of the Elk River to or towards the city of Fernie, in the province of British Columbia; not exceeding 100 miles.
- 30 44. To the Grand Trunk Pacific Railway Company, for a line of railway from Harte southwesterly into the city of Brandon; not exceeding 25 miles.

3. The Governor in Council may grant the subsidies
35 hereinafter mentioned towards the construction and completion of the bridges also hereinafter mentioned, that is to say:—

Subsidies for bridges.

1. To the Vancouver, Westminster and Yukon Railway Company, towards the construction and completion of
40 a railway bridge across Burrard Inlet, in lieu of the subsidy granted by chapter 63 of 1908, section 2, item 6; not exceeding \$350,000.

2. To the Canadian Pacific Railway Company (lessees of the Calgary and Edmonton Railway Company) towards
45 the construction and completion of a bridge over the Saskatchewan River connecting Strathcona and Edmonton, 15 per cent upon the amount expended thereon, in lieu of the subsidy granted by chapter 63 of 1908, section 2, item 2; not exceeding \$126,000.

3. To the Canadian Pacific Railway Company, towards the construction and completion of a bridge over the Saskatchewan River at Outlook, Saskatchewan, 15 per cent upon the amount expended thereon; not exceeding \$115,000. 5

4. To the Kettle Valley Railway Company, towards the construction and completion of a railway bridge over the Fraser River, near Hope, British Columbia; not exceeding \$250,000.

5. To the Caribou, Barkerville and Willow River Railway Company, towards the construction and completion of all its railway bridges (about twenty in number) over the Willow River, 25 per cent upon the total amount expended thereon; not exceeding \$95,000. 10

6. To the Grand Trunk Pacific Railway Company, 15 towards the construction and completion of a railway bridge over the Assiniboine River at the city of Brandon, 25 per cent upon the amount expended thereon; such bridge to be completed without unnecessary delay.

"Cost" defined.

4. In this Act, unless the context otherwise requires, the 20 expression "cost" means the actual, necessary and reasonable cost, and shall include the amount expended upon any bridge, up to and not exceeding \$25,000, forming part of the line of railway subsidized not otherwise receiving 25 any bonus, but shall not include the cost of equipping the railway nor the cost of terminals nor the cost of right of way of the railway in any city or incorporated town; and such actual, necessary and reasonable cost shall be determined by the Governor in Council, upon the recommendation 30 of the Minister of Railways and Canals, and upon the report of the chief engineer of the Department of Railways and Canals, certifying that he has made or caused to be made an inspection of the line of railway for which payment of subsidy is asked, and careful inquiry into the cost thereof, 35 and that in his opinion the amount upon which the subsidy is claimed is reasonable, and does not exceed the true, actual and proper cost of the construction of such railway.

How subsidies shall be paid.

5. The subsidies hereby authorized towards the construction of any railway or bridge shall be payable out 40 of the Consolidated Revenue Fund of Canada, and may, unless otherwise expressly provided in this Act, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:—

- (a) Upon the completion of the work subsidized; or, 45
- (b) By instalments, on the completion of each ten-mile section of the railway, in the proportion which the cost of such completed section bears to that of the whole work undertaken; or,

- (c) Upon the progress estimates on the certificate of the chief engineer of the Department of Railways and Canals that in his opinion, having regard to the whole work undertaken and the aid granted, the progress made justifies the payment of a sum not less than thirty thousand dollars; or, Conditions.
- 5 (d) With respect to (b) and (c), part one way, part the other.

6. The subsidies hereinbefore authorized to be granted to companies named shall, if granted by the Governor in Council, be granted to such companies respectively; the other subsidies may be granted to such companies as establish to the satisfaction of the Governor in Council their ability to construct and complete the said railway and bridges respectively; all the lines and the bridges for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August, 1912, and completed within a reasonable time, not to exceed four years from the said first day of August, to be fixed by the Governor in Council, and shall also be constructed according to descriptions, conditions and specifications approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in each case in a contract between the company and the said Minister, which contract the Minister, with the approval of the Governor in Council, is hereby empowered to make. The location also of such subsidized lines and bridges shall be subject to the approval of the Governor in Council.

7. The granting of such subsidies and the receipt thereof by the respective companies shall be subject to the condition that the Board of Railway Commissioners for Canada may at all times provide and secure to other companies such running powers, traffic arrangements and other rights as will afford to all railways connecting with the railway and bridges so subsidized reasonable and proper facilities in exercising such running power, fair and reasonable traffic arrangements with connecting companies, and equal mileage rates between all such connecting railways; and the said Board shall have absolute control, at all times, over the rates and tolls to be levied and taken by any of the companies, or upon any of the railways and bridges hereby subsidized: Provided always that any decision of the said Board made under this section may be at any time varied, changed or rescinded by the Governor in Council, as he deems just and proper.

Transportation of Government supplies, etc.

8. Every company receiving a subsidy under this Act, its successors and assigns, and any person or company controlling or operating the railway or portion of railway subsidized under this Act, shall each year furnish to the Government of Canada transportation for men, supplies, materials and mails over the portion of the lines in respect of which it has received such subsidy, and, whenever required, shall furnish mail cars properly equipped for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the Minister of the department of the Government for which such service is being performed and the company performing it, and, in case of disagreement, then at such rates as are approved by the Board of Railway Commissioners for Canada; and in or towards payment for such charges the Government of Canada shall be credited by the company with a sum equal to three per cent per annum on the amount of the subsidy received by the company under this Act. 5 10 15

Production of accounts.

9. As respects all railways and bridges for which subsidies are granted by this Act, the company at any time owning or operating any of the railways or bridges shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway or bridge, the cost of operating it, and the earnings thereof. 20 25

As to Canadian steel rails.

10. The Governor in Council may make it a condition of the grant of the subsidies herein provided that the company shall lay the railway with new steel rails and fastenings made in Canada and shall purchase all materials and supplies required for the construction of the railway and bridges, and the rolling stock for the first equipment of the railway, from Canadian producers, if such rails, fastenings, materials, supplies and equipment are procurable in Canada of suitable quality and upon terms as favourable as elsewhere, of which the Minister of Railways and Canals shall be the judge. 30 35

Mode of payment of certain railway subsidies.

11. Whenever a contract has been duly entered into with a company for the construction of any line of railway hereby subsidized, the Minister of Railways and Canals, at the request of the Company, and upon the report of the chief engineer of the Department of Railways and Canals and his certificate that he has made careful examination of the surveys, plans and profile of the whole line so contracted for, and has duly considered the physical characteristics of the country to be traversed and the means of transport available for construction, naming the reasonable and probable cost of such construction, may, with the author- 40 45

- ization of the Governor in Council, enter into a supplementary agreement, fixing definitely the maximum amount of the subsidy to be paid, based upon the said certificate of the chief engineer and providing that the company shall be
- 5 entitled to be paid, as the minimum, the ordinary subsidy of \$3,200 per mile, together with sixty per cent of the difference between the amount so fixed and the said \$3,200 per mile, if any; and the balance, forty per cent, shall be paid only on completion of the whole work subsidized, and in so far as
- 10 the actual cost, as finally determined by the Governor in Council upon the recommendation of the Minister of Railways and Canals, and upon the report and certificate of the said chief engineer, entitles the company thereto: Provided always—
- 15 (a) that the estimated cost, as certified, is not less on the average than \$18,000 per mile for the whole mileage subsidized;
- (b) that no payment shall be made except upon a certificate of the chief engineer that the work done is up to
- 20 the standard specified in the company's contract;
- (c) that in no case shall the subsidy exceed the sum of \$6,400 per mile.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 183.

An Act to authorize the granting of
Subsidies in aid of the construction of
the railways and bridges therein men-
tioned.

First reading, March 25, 1912.

MR. COCHRANE.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 185.

An Act to authorize the sale to the province of Manitoba of certain ordnance lands in the city of Winnipeg.

First reading, March 26, 1912.

MR. HUGHES,
(Victoria.)

THE HOUSE OF COMMONS OF CANADA.

BILL 186.

An Act to authorize the granting of Subsidies to the Government of the Province of Ontario in aid of the construction of the Temiskaming and Northern Ontario Railway.

WHEREAS the Government of the province of Ontario Preamble.
has constructed a line of railway known as the Temiskaming and Northern Ontario Railway, from North Bay on the Canadian Pacific Railway, and at a junction with
5 the Toronto line, so called, of the Grand Trunk Railway, to Cochrane on the Grand Trunk Pacific Railway, and several branches thereof, and has them under operation; and whereas the line of railway from North Bay to Cochrane makes a through connection for the Transcontinental Rail-
10 way with Toronto, and also with Montreal and Quebec, and being, as such, a work of national and not merely provincial utility: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

15 **1.** This Act may be cited as *The Temiskaming and Northern Ontario Railway Aid Act.* Short title.

2. The Governor in Council may grant to the Govern- Subsidies to Government of Ontario for construction of railways.
ment of the province of Ontario, in consideration of its having constructed each of the undermentioned lines of
20 railway (not exceeding in any case the number of miles hereinafter respectively stated), a subsidy not exceeding \$6,400 per mile:—

(i) For the line of railway from North Bay on the Canadian Pacific Railway to Cochrane on the Grand
25 Trunk Pacific Railway; not exceeding 252.8 miles.

- (ii) For the following branch lines of railway:—
- (a) From Englehart to Charlton; not exceeding 7.8 miles;
 - (b) From Cobalt to Kerr Lake; not exceeding 3.9 miles;
 - (c) From Iroquois Falls to Timmins; not exceeding 33.16 miles;
 - (d) From Nipissing Junction to North Bay; not exceeding 2.18 miles.

5

How
subsidies
shall be paid.

3. The subsidies hereby authorized shall be payable 10 out of the Consolidated Revenue Fund of Canada at the option of the Governor in Council, and may be paid upon the certificate of the chief engineer of the Department of Railways and Canals as to the mileage constructed, in such manner and in such amounts, and subject to such 15 conditions, if any, as the Governor in Council deems expedient.

186.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 186.

An Act to authorize the granting of Subsidies to the Government of the Province of Ontario in aid of the construction of the Temiskaming and Northern Ontario Railway.

First reading March 26, 1912.

MR. COCHRANE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE HOUSE OF COMMONS OF CANADA.

BILL 187.

An Act to authorize the granting of a Subsidy to the Canadian Northern Pacific Railway Company in aid of the construction of the railway therein mentioned.

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

1. This Act may be cited as *The Canadian Northern Pacific Railway Aid Act*. Short title.

2. The Governor in Council may grant a subsidy of twelve thousand dollars per mile to the Canadian Northern Pacific Railway Company towards the construction of a railway from a point at Yellowhead Pass to Vancouver and the mouth of the Fraser River, not exceeding five hundred and twenty-five miles. Subsidy authorized.

3. The said subsidy shall be payable out of the Consolidated Revenue Fund of Canada and may, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:— Manner and conditions of payment.

(a) upon the completion of the work subsidized; or,
(b) by instalments, on the completion of each ten-mile section of the railway, in the proportion which the cost of such completed section bears to that of the whole work undertaken; the cost for the purposes of this paragraph to be determined by the Governor in Council; or,

(c) upon the progress estimates on the certificate of the chief engineer of the Department of Railways and Canals that in his opinion, having regard to the whole work undertaken and the aid granted, the pro-

gress made justifies the payment of a sum not less than thirty thousand dollars; or,
 (d) with respect to (b) and (c), part one way part the other.

Time for construction limited.

4. The said railway, unless already commenced, shall be commenced within two years from the first day of August, nineteen hundred and twelve, and completed within a reasonable time, not to exceed four years from the said first day of August, to be fixed by the Governor in Council, and shall be constructed according to descriptions, conditions and specifications approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in a contract between the said company and the said Minister, which contract the Minister, with the approval of the Governor in Council, is hereby empowered to make. The location of the said railway shall be subject to the approval of the Governor in Council.

Contract for construction.

Location.

transportation of Government supplies, etc.

5. The said company, its successors and assigns, and any person or company controlling or operating the said railway or portion thereof, shall each year furnish to the Government of Canada transportation for men, supplies, materials and mails over the portion of the railway in respect of which it has received such subsidy, and, whenever required, shall furnish mail cars properly equipped for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the Minister of the Department of the Government for which such service is being performed and the company performing it, and, in case of disagreement then at such rates as are approved by the Board of Railway Commissioners for Canada; and in or towards payment for such charges the Government of Canada shall be credited by the said company with a sum equal to three per cent per annum on the amount of the subsidy received by the Company under this Act.

Production of accounts.

6. As respect the railway for which such subsidy is granted the company at any time owning or operating it shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers, showing the cost of constructing the railway, the cost of operating it, and the earnings thereof.

Canadian steel rails, materials, and rolling stock.

7. The Governor in Council may make it a condition of the granting of the subsidy herein provided that the said company shall lay the railway with new steel rails and fastenings made in Canada, and shall purchase all materials

and supplies required for the construction of the railway, and the rolling stock for the first equipment of the railway, from Canadian producers, if such rails, fastenings, materials, supplies and equipment are procurable in Canada of suitable
5 quality and upon terms as favourable as elsewhere, of which the Minister of Railways and Canals shall be the judge.

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[Faint, mirrored text from the reverse side of the page, including the words "BILLS OF LADING" and "COMMON" visible through the paper.]

THE HOUSE OF COMMONS
OF CANADA.

BILL 187.

An Act to authorize the granting of a
Subsidy to the Canadian Northern
Pacific Railway Company in aid of the
construction of the railway therein
mentioned.

First reading, March 26th, 1912.

MR. COCHRANE.

OTTAWA

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

THE HOUSE OF COMMONS OF CANADA.

BILL 188.

An Act to aid the construction of certain bridges on the railway of the Saint John and Quebec Railway Company, and to confirm an agreement between the Company and the Governments of Canada and New Brunswick.

WHEREAS, by chapter 11 of the statutes of 1911, the Preamble.
Governor in Council is authorized to acquire by lease, subject to the terms and conditions in the said Act provided, a certain line of railway from Grand Falls to the city of
5 Saint John in the province of New Brunswick, hereinafter called "the said province;" and whereas, subject to the necessary ratification by the Parliament of Canada and by the legislature of the said province, the agreement dated the fifth day of March, one thousand nine hundred
10 and twelve, set out in the Schedule to this Act, and hereinafter called "the agreement," has been duly entered into between His Majesty the King on behalf of the Dominion of Canada, and represented therein by the Honourable Frank Cochrane, Minister of Railways and Canals, therein
15 called the "Dominion," of the first part; His Majesty the King on behalf of the said province and represented therein by the Honourable Harry F. McLeod, Provincial Secretary of the said province, therein called the "Province," of the second part; and the Saint John and Quebec Railway
20 Company, incorporated by the legislature of the said province, therein called the "Company," of the third part; in which agreement it is provided among other things that the Company will cause to be formed a company, therein called "the Bridge Company," to be chartered by the legis-
25 lature of the said province or the Parliament of Canada, to construct three railway bridges, one across the St. John

River at or near Andover, in the county of Victoria, in the said province, and one across the St. John River at or near Mistake, in the county of Kings, in the said province, and another across the Kennebecasis River at or near Perry Point, in the said county of Kings; and whereas the Government of Canada, under the provisions of the agreement, has undertaken to guarantee the principal upon the bonds of the Bridge Company to an amount equal to the cost of the said bridges, but not exceeding in the whole the sum of one million dollars, and also to guarantee the interests of such bonds, within the limit aforesaid, such bonds to be issued for a period of fifty years from the date of issue, with interest thereon at the rate of four per cent per annum, payable semi-annually; and whereas it is expedient that Parliament should ratify and confirm the agreement: 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 Saint John and Quebec Railway Act*.

Aid authorized for three railway bridges.

2. His Majesty, on behalf of the Dominion of Canada, hereinafter called "the Dominion," may aid and assist the construction of the three said railway bridges, that is to say; a railway bridge across the St. John River at or near Andover, in the county of Victoria, in the said province, a railway bridge across the St. John River at or near Mistake in the county of Kings, in the said province, and a railway bridge across the Kennebecasis River at or near Perry Point in the said county of Kings, the said bridges to be constructed by a company, hereinafter called "the Bridge Company," duly incorporated by the legislature of the said province, for the construction of the said bridges, by guaranteeing the principal of the bonds of the Bridge Company in an amount not exceeding the cost (which cost shall be established to the satisfaction of the Governor in Council) of the said three bridges, but not exceeding in the whole the principal sum of one million dollars, together with the interest upon the said bonds at four per cent, payable half yearly for a period not exceeding fifty years from the date of issue of such guaranteed securities.

Nature of aid.

Interest.

Security.

First mortgage.

3. The said guaranteed securities shall be secured by a deed of trust by way of mortgage or charge to a trustee or trustees approved of by the Governor in Council, and such deed of trust shall grant a first mortgage or charge upon the said bridges and all other real and personal property, and all rights, privileges, franchises and powers that may at any time belong to the Bridge Company or in respect of

which the Bridge Company may at any time have any interest.

4. The kind of securities to be guaranteed hereunder and the forms thereof, and the form and terms of the deed of trust securing them and the times and manner of the issue of the guaranteed securities and the disposing of the moneys to be raised thereon by sale, pledge or otherwise, pending the expenditure of such moneys for the purposes of the bridges so aided, and the forms and manner of guarantee or guarantees, shall be such as the Governor in Council approves of, and such terms, provisions and conditions shall be included in the said deed of trust as the Governor in Council deems expedient or necessary.

Deed of trust.

Forms and terms.

5. The said guarantee or guarantees shall be signed by the Minister of Finance, or such officer as is designated by the Governor in Council to sign them; and, upon being so signed, the Dominion shall become liable as guarantor for the payment of the principal and interest of the said securities so guaranteed according to the tenor thereof, and the said payment shall form a charge upon the Consolidated Revenue Fund, and the said guarantee or guarantees, so signed, shall be conclusive evidence that the requirements of this Act respecting the guaranteed securities and the deed of trust and all matters relating thereto have been complied with.

Signature to guarantees.

Effect.

Conclusive evidence.

6. The rates and tolls charged by the Bridge Company upon or in respect of any of the said bridges so aided shall, before being levied or charged by the Bridge Company, be first approved of by the Governor in Council.

Rates and tolls.

7. Any moneys paid by the Dominion under any guarantee herein provided for, shall be held to be paid in discharge of the liability of the Dominion and not in discharge of the liability of the Bridge Company under the securities so guaranteed or under any deed of trust securing them, and the money so paid shall be held to be still secured by the guaranteed securities and deeds of trust and the Dominion shall be subrogated in and to all the rights of the holders of the guaranteed securities, the interest upon, or the principal of, which has been paid by the Dominion, and the Dominion shall, with respect to all moneys so paid be in all respects in the position of the security holders with respect to whose securities default has been made in payment to the extent of the moneys paid by the Dominion.

Liability of Dominion discharged by payments.

8. The said bridges so aided shall be constructed by the Bridge Company in accordance with plans and specifications

Plans and specifications.

approved of by the Governor in Council, and the construction, and the material used therein, and the manner of construction shall be subject to the direction and inspection of officers of the Dominion, and up to and in accordance with the requirements of the plans and specifications so approved. 5

Inspection
of books.

9. The books of the Bridge Company shall at all times be open for inspection for and on behalf of the Dominion, by any person named in that behalf by the Governor in Council or the Minister of Finance. 10

Agreement in
Schedule
confirmed.

10. Notwithstanding anything in any other Act, the agreement set out in the Schedule to this Act is hereby ratified and confirmed and declared to be binding upon the respective parties thereto, subject to the provisions of this Act, and the Dominion may do whatever is necessary to give full effect to the said agreement and specifications and to the provisions of this Act. 15

Payment of
certain inter-
est on bonds.

2. The interest upon the bonds of the Bridge Company, which is required by paragraph 9 of the said agreement to be paid by the Government of Canada for the first fifteen years of the term of the said bonds, shall be paid out of the Consolidated Revenue Fund of Canada. 20

Commence-
ment of Act.

11. This Act shall come into force upon a day named in a proclamation to be issued by the Governor in Council after the ratification of the agreement by the Legislature of the province of New Brunswick. 25

SCHEDULE.

This indenture made this 5th day of March, in the year of Our Lord one thousand nine hundred and twelve, between His Majesty the King on behalf of the Dominion of Canada and represented herein by the Honourable Frank Cochrane, Minister of Railways and Canals, hereinafter called the "Dominion," of the first part; His Majesty the King on behalf of the province of New Brunswick and represented herein by the Honourable Harry F. McLeod, Provincial Secretary of the province of New Brunswick, hereinafter called the "Province," of the second part; and the Saint John and Quebec Railway Company, incorporated by the Legislature of the province of New Brunswick, hereinafter called the "Company," of the third part.

Whereas the Company has, by its charter, authority to construct a line of railway from the city of Saint John to a point of connection with the Transcontinental Railway at or

near the town of Grand Falls in the county of Victoria, in the said province of New Brunswick, and

Whereas it has been agreed by the several parties hereto that the said Company shall construct the said railway under and pursuant to an agreement which has been entered into between the Company and the Province, dated December twelfth, one thousand nine hundred and eleven, whereby the said Province agrees to guarantee first mortgage bonds of the said Company to the extent of twenty-five thousand dollars (\$25,000) per mile, as provided for, by and in the said agreement, it being understood and agreed that when and as the said railway is completed in sections as hereinafter mentioned, the Dominion shall lease the said railway for a term of ninety-nine years and shall pay as rental therefor to the said Province for the purposes set out in the said agreement forty (40%) per cent of the gross earnings of the said railway, and

Whereas, upon the said line of railway there are three large and expensive bridges to be constructed, namely, one across the Saint John river at or near Andover in the county of Victoria, and one across the Saint John river at or near Mistake in the county of Kings, and one across the Kennebecasis river at or near Perry Point, for the construction of which it has been deemed desirable to make an arrangement for special aid towards their construction as hereinafter provided for.

Now this indenture witnesseth that subject to the necessary legislation being passed by the Parliament of Canada, and the Legislature of the Province of New Brunswick the parties hereto agree in manner following, that is to say:—

1. That the said Company hereby undertakes and agrees that the said railway, including the line of railway and all bridges connecting the same or forming part thereof as in the first paragraph of the preamble of this agreement set out, or intended so to be, shall be constructed and equipped in all respects up to and according to the specifications hereto annexed, and that such construction and equipment shall be subject to the inspection and to the satisfaction of an engineer or engineers appointed by the Minister of Railways and Canals of Canada, and the said engineer or engineers shall also be the judge of the quality and fitness of any and all material that may be provided for the construction and equipment of the said railway, and shall have the power to reject and order the removal of any material that may be provided by the Company for the construction and the equipment of the said railway which is not up to the requirements of the specifications and this contract. Notice of rejection of such material stating

the grounds for such rejection shall be given in the first instance to the engineer appointed by the Province of New Brunswick under the said recited contract, bearing date December twelfth, one thousand nine hundred and eleven, who shall forthwith cause the Company to remove said material so rejected and in the event of the said engineer appointed by the Province of New Brunswick failing to cause the removal of such rejected material, then and in such an event the engineer appointed by the Minister of Railways and Canals of Canada, may notify the Company to remove said rejected material, and the Company shall thereupon remove the same from off the right of way, and such rejected material shall not be used in the construction and the equipment of the railway.

2. That the Company shall complete the construction and the equipment of the said railway in all respects up to and according to the specifications hereto annexed and the requirements as in the preceding clause set out on or before the first day of November, in the year of Our Lord one thousand nine hundred and fifteen.

3. The Dominion hereby undertakes and agrees that as soon as the said railway is constructed and equipped to the satisfaction of the engineer or engineers so appointed as aforesaid, between Fredericton and Woodstock, the Dominion will enter into a lease in accordance with the terms and conditions herein agreed upon and to be embodied in the said lease, and that when a further section of the said railway from Fredericton southwards towards Saint John, a distance of forty miles, shall have been constructed and equipped to the satisfaction of such engineer or engineers, the Dominion will enter into a lease thereof and operate upon like terms and conditions as above mentioned and so on thereafter as each section of twenty-five miles of railway is constructed and equipped, the Dominion will enter into a lease thereof and operate in manner aforementioned, and when the said whole line between Saint John and Grand Falls is fully constructed and equipped, the Dominion will lease the said line including the said bridges upon like terms and conditions for the term of ninety-nine years, it being understood and agreed that the Dominion will provide the necessary, suitable and sufficient rolling stock for the operation of the said railway and will maintain, repair and upkeep the said railway at its own expense during the whole term of the lease, such lease to contain all the usual and necessary covenants, provisoes and conditions, and the Company hereby covenants and agrees to grant the said leases accordingly.

Provided, however, that the Dominion shall not be required to enter into any lease of any constructed and

equipped section of the said railway which is not connected with the completed and equipped railway from Fredericton so as to form a continuous line of railway.

4. It is understood and agreed by and between the parties hereto that if the said railway and the said bridges are not fully constructed and equipped in accordance with the specifications hereto annexed, and the requirements in this Agreement set out, on or before the first day of November A.D. 1915, any lease entered into, as in clause three of this agreement provided, shall, at the option of the Dominion, be null and void, without any right, claim or demand at law or otherwise on the part of the Province or on the part of the Company as against the Dominion in any such case.

5. It is understood and agreed that in the case of any lease entered into as in this Agreement provided, whether determinable on account of default on the part of the Province, the Company, effluxion of time or otherwise, that upon such determination the Dominion shall have the right to remove from off the said railway or any part thereof any or all rolling stock and any other property of the Dominion.

6. It is hereby understood and agreed between all the parties hereto that no conveyance, mortgage or encumbrance beyond the total amount of thirty-five thousand (\$35,000) dollars per mile shall be placed upon the said railway except with the consent of the Governor General in Council and the Lieutenant in Council of the Province of New Brunswick and that it shall be provided in every mortgage, conveyance or encumbrance placed upon the said railway that the mortgagee or grantee shall consent and agree to the entering into of such lease or leases from time to time as hereinbefore provided, and give such consent by becoming a party thereto, and satisfactory evidence thereof shall be furnished to the Minister of Railways and Canals.

7. The Company hereby covenants and agrees that it will cause to be formed a company to be chartered by the Legislature of the Province of New Brunswick, or the Parliament of Canada, and will apply for such charter authorizing such company, hereinafter referred to as the Bridge Company, to construct the said bridges in the third paragraph of the preamble of this agreement set out or intended so to be, and that it will finance the said Bridge Company and provide the construction of each of the said bridges in accordance with the plans and specifications in this clause hereinafter referred to, so that the same will be fully completed and ready for operation on or before the first day of November, one thousand nine hundred and

fifteen so as to afford a continuous line of railway between Saint John and Grand Falls, it being understood and agreed that the Dominion in addition to any subsidy provided by Parliament for the said line of railway, or any revote in lieu thereof, shall guarantee the principal upon the Bridge Company's bonds to an amount equal to the cost of the bridges, but not exceeding in the whole the amount of one million dollars, and will also guarantee the interest upon such bonds within the limit aforesaid, such bonds to be issued for a period of fifty years from date of issue and to bear interest at the rate of four (4%) per cent per annum, payable semi-annually. It being also hereby further understood and agreed that the plans and specifications for the construction of each of the said bridges, and the details of construction shall all be subject to approval by the Governor in Council and to secure the economical construction of the bridges it is also agreed that the contracts for the construction thereof shall, before being executed by the Bridge Company be approved by the Minister of Railways and Canals, and that the construction of each of the said bridges shall be subject to the inspection and to the satisfaction of an engineer or engineers appointed by the Minister of Railways and Canals of Canada, and the said engineer or engineers shall also be the judge of the quality and fitness of any and all materials that may be provided for the construction of each of the said bridges and shall have the power to reject and order the removal of any material that may be provided by the Bridge Company for such construction which material is not up to the requirements of the plans and specifications aforesaid. Notice of the rejection of such material stating the grounds for such rejection being given to the Bridge company or the contractor of the Bridge Company or the representative of any such contractor, shall be a bar to the use of any such material in such construction and such rejected material shall forthwith be removed from off the site of the bridge and shall not be used in the construction thereof.

8. It is hereby understood and agreed that no conveyance, mortgage or encumbrance shall be placed upon the said bridges or any of them except with the consent of the Governor General in Council, and that it shall be provided in every such conveyance mortgage or encumbrance placed upon the said bridges or any of them that the mortgagee or grantee shall consent and agree to the entering into of such lease or leases from time to time as hereinbefore provided, and give such consent by becoming a party thereto, and satisfactory evidence thereof shall be furnished to the Minister of Railways and Canals.

9. It is hereby understood and agreed by and between all the parties hereto, that during the first fifteen years of

the term of the said lease, forty (40%) per cent of the gross earnings of the said railway (exclusive of the bridges) and the bridges shall be paid by the Government of Canada to the Province of New Brunswick to be applied so far as necessary towards payment of the interest upon the said bonds so to be guaranteed by the Province of New Brunswick, and the surplus if any, after payment of said interest to be paid semi-annually to the Railway Company; and during the first fifteen years of the term of the said bridge bonds the interest thereupon shall be paid and borne by the Government of Canada as further aid towards the construction of the said bridges.

10. After the said period of the first fifteen years and until the maturity of the said bridge bonds, the said forty (40%) per cent of the gross earnings of the bridges being such proportion of the said gross earnings of the railway (exclusive of the bridges) and of the bridges as the cost of the bridges bears to the cost of the railway (exclusive of the bridges) and the bridges, shall be specially set aside and applied semi-annually by the Government of Canada in manner following:—

First, towards the payment of the interest thereafter accruing on the said bridge bonds; Second, to provide a sinking fund sufficient to redeem the said bridge bonds at maturity; Third, the remainder to the Bridge Company.

11. After the expiration of the said period of the first fifteen years and until the maturity of the bonds guaranteed by the Province of New Brunswick, the forty (40%) per cent of the gross earnings of the railway (exclusive of the bridges) and the bridges after deducting therefrom the gross earnings of the bridges determined in manner as aforesaid, shall be paid by the Government of Canada to the Province of New Brunswick, semi-annually and shall be applied by the said Province as received in manner following:—First, towards the payment of the interest on the bonds guaranteed by the Province; Second, towards the payments required to provide a sinking fund under the provisions of the trust mortgage securing the bonds guaranteed by the Province; Third, the remainder to be paid to the said Railway Company.

12. After the maturity and payment of all said bonds so guaranteed by the Dominion and Province all rentals shall be paid semi-annually to the respective companies in the proportions aforesaid.

13. It is hereby understood and agreed that if the Dominion and the Province determine that it would be in the public interest so to do, the said railway instead of being constructed all the way from Grand Falls to Saint John may be connected with the Intercolonial Railway at or near

Rothesay in the County of Kings in the Province of New Brunswick, upon such terms and conditions as may be agreed upon.

14. It is further agreed that any expenditure made by the Dominion Government during the currency of the leases or any of them as is usually carried to the debit of capital account by English railway companies including expenditures for additional tracks, sidings, yards, buildings, alignments and grade revisions and other facilities required for the economical and efficient handling of traffic, shall be repaid to the Dominion Government by the Company or by the Bridge Company as the case may be out of their respective proportions of the surplus of the said forty (40%) per cent of the gross earnings or by debentures secured by mortgage on the railway or the bridges as the case may be bearing four (4%) per cent interest at the option of the Company or of the Bridge Company, respectively.

Provided, however, that no such expenditures shall be entered upon without the consent of the Company or the Bridge Company as the case may be.

15. It is hereby understood and agreed by and between the parties hereto that no conveyance, mortgage or encumbrance placed upon the said railway or bridges as hereinbefore provided shall in any way affect or apply to any rolling stock or other property of the Dominion on the said railway or used in any way in connection with the operation thereof.

16. It is also further understood and agreed that all the parties hereto will promote and assist in the procuring of legislation to have this agreement ratified and confirmed by the Parliament of Canada and by the Legislature of the Province of New Brunswick as soon as may be reasonably practicable.

17. In this Agreement the words "His Majesty" (represented by the Minister of Railways and Canals) shall mean and include the reigning Sovereign or the successors or assigns of the Sovereign, and the words "Minister of Railways and Canals" or other words relative thereto shall mean the person holding the position or acting in the capacity of the Minister of Railways and Canals, for the time being.

In witness whereof, His Majesty on behalf of the Dominion of Canada has executed these presents by the Honourable Frank Cochrane, Minister of Railways and Canals, and by the Secretary of the Department of Railways and Canals, and the seal of the said Department has been hereto affixed; His Majesty on behalf of the Province of New Brunswick has executed the same by the Honourable Harry F. McLeod, Provincial Secretary of the Province of

New Brunswick, and the seal of the said Province has been hereto affixed, and the said party of the third part has executed the same by its President and Secretary under the corporate seal of the Company and by order of the Board of Directors of the said Company.

Signed, sealed and delivered by the Minister of Railways and Canals, and the Secretary of the Department of Railways and Canals, in the presence of H. F. ALWARD.	} F. COCHRANE, Minister of Railways and Canals. L. K. JONES, (SEAL) Secretary.
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Signed, sealed and delivered by the Provincial Secretary of the Province of New Brun- swick in the presence of OSWALD S. CROCKET.	} H. F. McLEOD, Provincial Secretary of New Brunswick. (SEAL)
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Signed, sealed and delivered by the said Saint John and Que- bec Railway Company, in manner aforesaid, in presence of A. P. BARNHILL, St. John, N.B.)	} The Saint John and Quebec Railway Company. by A. R. GOULD, President, and JAMES U. THOMAS, Secretary. (SEAL)
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THE HOUSE OF COMMONS
OF CANADA.

BILL 188.

An Act to aid the construction of certain bridges on the railway of the Saint John and Quebec Railway Company, and to confirm an agreement between the Company and the Governments of Canada and New Brunswick.

First reading, March 26, 1912.

MR. COCHRANE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 189.

An Act to Aid the construction of the Canadian
Northern Alberta Railway.

WHEREAS, by chapter 6 of the statutes of 1910, authority Preamble.
was given to the Governor in Council to aid and
assist the construction of the line of railway of the Canadian
Northern Alberta Railway Company, hereinafter called
5 "the Company," by guaranteeing the principal and interest
of the bonds, debentures, debenture stock or other securities
of the Company to the extent of thirteen thousand dollars
per mile for the first fifty miles of the line so aided, and for
10 the remainder of the said line to an amount of twenty-five
thousand dollars per mile, not exceeding in all one hundred
and fifty miles, as in the said Act set out, and the Governor
in Council, pursuant to the said authority, has granted
such aid accordingly; and whereas the Company has
15 authority, under the said Act, to construct and operate
a line of railway from a point at or near Edmonton or Strath-
cona to a point in the province of British Columbia in or
near the Yellowhead Pass, and fifty miles west of the
boundary of the said province: Therefore His Majesty, by
and with the advice and consent of the Senate and House
20 of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Northern* Short title.
Alberta Railway Aid Act, 1912.

2. His Majesty on behalf of the Dominion of Canada, Aid
authorized.
hereinafter called "the Dominion," may aid and assist the
25 construction and completion of a line of railway of the
Company extending from a point on the line of the railway
of the Company one hundred and fifty miles westerly from

Line of railway aided.	St. Albert, thence in a westerly direction to the boundary of the province of British Columbia at or in the Yellowhead Pass, for a distance not exceeding one hundred and fifteen miles, by guaranteeing the principal and interest of the	
Nature of aid.	bonds, debentures, debenture stocks and other securities, hereinafter called "securities," secured as hereinafter mentioned, of the Company, to the extent of thirty-five thousand dollars per mile of the said line of railway so aided, not	5
Interest.	exceeding in all one hundred and fifteen miles; the interest upon the said securities to be paid at the rate of three and	10
Maturity of principal.	one-half per cent per annum, payable half yearly, the principal to be payable in fifty years from the passing of this Act.	
Security.	3. The said securities so guaranteed shall be secured by a deed or deeds of trust by way of mortgage or charge to a trustee or trustees, approved of by the Governor in Council, and such deed or deeds of trust shall respectively grant a	15
First mortgage.	first mortgage or charge upon the said line of railway so aided, and the right of way, station grounds, or other real estate and interest therein, buildings and other structures and improvements, rolling stock and equipment, plant, machinery, tools, supplies, materials and other personal properties, present and future, acquired for the purposes of the said line so aided, and in connection with operating, repairing and maintaining it, and the tolls, incomes and revenues of the Company arising and to arise from the said line, and the rights, privileges, franchises and powers of the Company now or hereafter held with respect to and in connection with the said line and the operation, maintenance and repair thereof.	20 25 30
Nature of securities, and form of trust deed.	4. The kind of securities to be guaranteed as aforesaid, and the forms thereof, and the form and terms of the deed or deeds or trust securing them, and the times and manner of the issue of securities and the disposition of the moneys to be raised thereon by sale, pledge or otherwise, pending the expenditure of such moneys for the purposes of the line of railway so aided, and the forms and manner of guarantee, shall be such as the Governor in Council approves, and such terms, provisions and conditions may be included in such deed or deeds of trust as the Governor in Council deems expedient or necessary.	35 40
Signature to guarantees.	5. The said guarantee shall be signed by the Minister of Finance, or such officer as is designated by the Governor in Council to sign it; and upon being so signed the Dominion shall become liable as guarantor for the payment of the principal and interest of the securities so guaranteed,	45
Effect.		

according to the tenor thereof, and the said payment shall form a charge upon the Consolidated Revenue Fund.

6. Any moneys paid by the Dominion under any guarantee herein provided for shall be held to be paid in discharge of the liability of the Dominion and not in discharge of the liability of the Company under the securities so guaranteed, or under any deed of trust securing them, and the moneys so paid shall be held to be still secured by the said securities and deed of trust, and the Dominion shall be subrogated in and to all the rights of the holders of such securities, the interest upon or the principal of which has been paid by the Dominion, and the Dominion shall, with respect to all moneys so paid, be in all respects in the position of security holders with respect to whose securities default has been made in payment to the extent of the moneys paid by the Dominion.

Liability of Dominion discharged by payments.

7. The decision of the Governor in Council as to the length of the mileage of the said line of railway so to be aided shall, for the purposes of this Act, be final.

Length of lines.

8. The books of the Company shall at all times be open for inspection for and on behalf of the Dominion by any person named in that behalf by the Governor in Council or the Minister of Finance.

Inspection of books.

9. The Canadian Northern Railway Company shall, by guarantee included in the said deed or deeds of trust, or in some other instrument agreed to by the Governor in Council or the Minister of Finance and the last named company, in such form as the Governor in Council approves, guarantee to the Dominion the due payment by the Company of the principal and interest of all securities issued and guaranteed under the provisions of this Act, according to the tenor and effect of such securities respectively, and in accordance with the terms of the said deed or deeds of trust, and shall also guarantee to the Dominion the due payment by the Company of all loss or costs which the Dominion may sustain or be put to in enforcing, after default, the provisions of the said deed or deeds of trust against the line of railway and premises thereby mortgaged and charged.

Guarantee by Canadian Northern Railway.

Principal and interest.

Costs of default.

189.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 189.

An Act to Aid the construction of the
Canadian Northern Alberta Railwa

First reading March 26th, 1912.

MR. COCHRANE.

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 HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to authorize a bounty to Volunteers who served the Crown during the Fenian Raids.

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

1. This Act may be cited as *The Fenian Raid Volunteer* Short title.
5 *Bounty Act.*

2. In this Act "volunteer" means any person who was regularly enrolled or enlisted in and served with any militia corps which the Government of Canada, or of Nova Scotia, or of New Brunswick called out for active service in the "Volunteer" defined.
10 year one thousand eight hundred and sixty-six, or which the Government of Canada called out for active service in the year one thousand eight hundred and seventy, excepting, however, the two battalions of riflemen formed for service in the "North West."

15 3. The Governor in Council may, at any time before the thirty-first day of December, one thousand nine hundred and thirteen, grant the sum of one hundred dollars to every volunteer who is resident in Canada on the date of the passing of this Act. Bounty authorized.

20 4. The payment of every such grant shall be made by the Minister of Finance, upon the authority of a warrant signed by the Minister of Militia and Defence, certifying that the person named therein performed the service which entitles a volunteer to a grant under the provisions
25 of this Act. Payment, how made.

Proof of claim to bounty.

5. The warrants to be signed by the Minister of Militia and Defence under the authority of this Act shall not be issued except upon such proofs as are prescribed by the Governor in Council.

THE HOUSE OF COMMONS OF CANADA.

BILL 190.

An Act to authorize a bounty to Volunteers who served the Crown during the Fenian Raids.

First reading, March 26, 1912.

MR. HUGHES,
(Victoria).

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

THE HOUSE OF COMMONS OF CANADA.

BILL 194.

An Act to amend the Act of the present session intituled "An Act respecting the Montreal Central Terminal Company."

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

1. This Act may be cited as *The Montreal Central Terminal* Short title.
5 *Amendment Act, 1912.*

2. The powers conferred upon the Montreal Central Terminal Company by sections 5 and 6 of the Act of the present session, intituled "An Act respecting the Montreal Central Terminal Company", shall only be exercised upon
10 obtaining the consent of the Governor in Council thereto. Certain powers to be exercised only with consent of Governor in Council.

3. The exercise of the powers conferred by the said sections 5 and 6 shall also be subject to any general railway Act hereafter passed which provides for the expropriation by railway companies of any easement, servitude, right of
15 way, or other privilege enjoyed in, to, under, over, or in respect of any lands, or in respect of entering upon any lands, for any purpose whatsoever, or which in anyway deals with any power granted by the said sections 5 or 6; and in any respect in which such general railway Act is
20 inconsistent with the said sections 5 or 6, the said railway Act shall prevail. Powers of expropriation and of entering on lands to be subject to future legislation.

194.

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

THE HOUSE OF COMMONS
OF CANADA.

BILL 194.

An Act to amend the Act of the present session intituled "An Act respecting The Montreal Central Terminal Company."

First reading, March 29, 1912.

MR. COCHRANE.

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

THE HOUSE OF COMMONS OF CANADA.

BILL 195.

An Act to amend the Act of the present session intituled "An Act respecting the Ottawa, Montreal and Eastern Railway Company."

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

1. This Act may be cited as *The Ottawa, Montreal and Eastern Railway Amendment Act, 1912*. Short title.

2. The powers conferred upon the Ottawa, Montreal and Eastern Railway Company by sections 11A and 11B of chapter 141 of the statutes of 1910, as the said sections are enacted by section 3 of the Act of the present session intituled "An Act respecting the Ottawa, Montreal and Eastern Railway Company," shall only be exercised upon obtaining the consent of the Governor in Council thereto. Certain powers to be exercised only with consent of Governor in Council.

3. The exercise of the powers conferred by the said sections 11A and 11B shall also be subject to any general railway Act hereafter passed which provides for the expropriation by railway companies of any easement, servitude, right of way or other privilege enjoyed in, to, under, over, or in respect of any lands, or in respect of entering upon any lands, for any purpose whatsoever, or which in any way deals with any power granted by the said sections 11A or 11B; and in any respect in which such general railway Act is inconsistent with the said sections 11A or 11B, the said railway Act shall prevail. Powers of expropriation and of entering on lands to be subject to future legislation.

THE HOUSE OF COMMONS
OF CANADA.

BILL 195.

An Act to amend the Act of the present session intituled "An Act respecting The Ottawa, Montreal and Eastern Railway Company.

First reading, March 29, 1912.

MR. COCHRANE.

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

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.

Inter-pretation.

2. Every person is guilty of an offence against this Act and liable on summary conviction to the penalties herein-
10 after 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,
15 (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
20 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,
25 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
30 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. 5

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. 10

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*. 15

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. 20

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. 25 30

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. 35

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. 40 50

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.

Procedure in courts.

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.

Power to Governor in Council to exempt certain waters from 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*.

Date of operation of Act.

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

THE SENATE OF CANADA.

BILL B.

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:—

- 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.
- 2.** The agreement of association shall contain the following particulars:—
- (a) the proposed name of the corporation, which name shall not be that of any other known company, incorporated or unincorporated, or any name likely to be mistaken therefor, nor otherwise, on grounds of public policy or convenience, objectionable, and shall end with the words "Railway Company;"
- (b) the terminal points of the proposed railway, and as nearly as may be estimated, its length in miles;
- (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;
- (d) the gauge of the railway, which shall be four feet, eight inches and one-half of an inch;
- (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;

Preamble.

Formation of association.

Contents of agreement.

Name of corporation.

Terminals.

Route.

Gauge.

Capital.

Shares.

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;	5
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;	10 15
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.	25
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:—	30
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 <i>The Canada Gazette</i> , 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.	35 40
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.	45
English and French.	2. In the provinces of Quebec and Manitoba, the notice shall be given in both the English and French languages.	50
Proof.	3. A statutory declaration by the secretary of the association that any provision of this section has been duly complied with shall be <i>prima facie</i> 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
Commission-
ers 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; 5
- (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; 10
- (d) proof that the necessary notice has been published and given as required by this Act; 15
- (e) the plan, profile, report and estimate of cost required by this Act;
- (f) a statutory declaration, made by at least the majority of the provisional directors and by the secretary of the association, as to the truth of all essentials required by this Act and that it is in good faith intended by the association to locate, construct, maintain, equip and operate the railway on the proposed route. 25

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. 30

Form and
verification.

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. 35

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— 40

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— 45 50

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.

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.

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*—

- | | | |
|----|---|-----------------|
| 15 | (a) the persons to be incorporated; | R.S., c. 37. |
| | (b) the corporate name to be given to the corporation; | Corporators. |
| | (c) the provisional directors; | Name. |
| | (d) the capital stock; | Directors. |
| | (e) the head office; | Capital. |
| 25 | (f) the annual meeting of the corporation; | Head office. |
| | (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; | Annual meeting. |
| | | Route. |

30 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

35 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;

40

45 (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,

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- 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.

11. If the provisional directors file 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.

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

Fyling.

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. 5

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.*

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

THE SENATE OF CANADA.

BILL C.

An Act to amend The Senate and House of
Commons Act.

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

Preamble.
R.S., 1906,
c. 10.

1. Subsection 2 of section 35 of *The Senate and House of Commons Act*, chapter 10 of *The Revised Statutes of Canada*, is hereby amended by adding thereto at the end thereof the following words:—"or in event of serious illness preventing him being present at Ottawa or of serious illness necessitating his returning to his home, on advice of his medical attendant."

Reckoning
of attendance
at session
in case of
serious
illness.

10

THE SENATE OF CANADA.

BILL

C

An Act to amend The Senate and House
of Commons Act.

Received and read a first time

Wednesday, 22nd November, 1911.

Second reading

Friday, 24th November, 1911.

Honourable Mr. DOMVILLE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

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:—

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

5 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. Weight of bread.

2. Small bread may be made for sale, offered for sale and 10 sold in any weight not exceeding twelve ounces avoirdupois.

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 15 sale by him at the request of any person desiring to purchase the same. Scales and weights in premises.

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 20 section 3 of this Act, shall, upon summary conviction, incur a penalty not exceeding twenty-five dollars. Penalty for contravention of provisions of Act.

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

THE SENATE OF CANADA.

BILL E.

An Act concerning the payment of salaries or wages of employees of railway companies.

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

1. Section 259 of *The Railway Act* is amended by adding R. S., c. 37;
5 thereto the following subsection:— s 259

“3. The salary or wages of every person employed in the amended
operation, maintenance or equipment of any railway com- Payment
pany to which the Parliament of Canada has granted aid by of wages.
means of subsidy or guarantee, shall be paid not less
10 frequently than once in each two weeks during the term of
employment of such person.”

THE SENATE OF CANADA

1911

H

Employees of railway companies
salaries or wages of employees
An Act concerning the payment

Received and read a first time

Thursday 28th November 1911

Record reading

Thursday 28th November 1911

1911

1911

1911

THE SENATE OF CANADA.

BILL

E

An Act concerning the payment of salaries or wages of employees of railway companies.

Received and read a first time

Friday, 24th November, 1911.

Second reading

Thursday, 30th November, 1911.

Honourable MR. CASGRAIN.

OTTAWA

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

1911

THE SENATE OF CANADA.

BILL F.

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 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:—

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

Preamble.

1902, c. 15.

Incorporation.

- the city and district of Montreal; Gordon Walters Mac-Dougall, 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." 5
- 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. 10
- Capital stock.** 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.
- Calls.**
- Head office.** 4. The head office of the Company shall be in the city 15 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—
 (a) manufacture, buy, sell, trade and deal in furs, skins, 25 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;
- Manufacture and sale of furs, etc.**
- Acquisition of property.** (b) purchase or otherwise acquire, hold, lease or otherwise 30 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 35 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; 40
- 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; 45
- 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 50

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
5 similar in whole or in part or incidental to the business of the Company.

(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
10 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;
15

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;

Amalgama-
tion.

(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,
25

Disposal of
Company's
property,
etc.

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
30 up capital of the Company is not thereby impaired;

(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
35 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;

Arrange-
ments 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
45 profitable any of the Company's properties or rights.

Powers
incidental to
the above
purposes.

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
Transmission
and delivery
of power and
electricity.

Approval
by Railway
Commission.

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.

Consent of
municipal-
ities required
for telegraph
and telephone
lines upon
highways,
etc.

R. S., c. 126.

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.

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

8. The Company shall be and is hereby vested with all and every the property and assets, moveable and immovable, 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.

Cancell-
ation of
Letters
Patent in-
corporating
Révillon
Brothers,
Limited.

Powers
under 1906,
c. 154 trans-
ferred to
Company
incorporated
by this Act.
Carriage of
mails.

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:—

(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;
- 5 (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;
- 10 (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;
- 15 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;
- 20 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;
- 25 (d) The Company may buy, lease, develop 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;
- 30 (e) The Company may buy, lease, own, sell and operate mines and the products thereof and deal in mining claims of every description;
- (f) The Company may buy, lease, sell, own and develop land for the purposes of colonization and of settlement;
- 35 (g) The Company may buy, sell, lease and dispose of fishing and hunting rights and privileges;
- (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;
- 40 (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—
- 45 (i) borrow money upon the credit of the Company;
- (ii) limit or increase the amount to be borrowed;

Vessels.

Wharfinger business.

Telegraph and telephone lines.

R.S., c. 37.

Rates and charges.

R.S., c. 126

Timber limits

Saw mills.

Mining.

Land for colonization.

Fishing and hunting.

Money forwarding.

Powers to borrow money, issue bonds, etc.

(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; 5 10

(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; 15

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. 15

Description of property and assets transferred

10. The property and assets of Révillon 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. 20

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. 25 30

Qualification of directors.

12. At least two directors shall be residents of Canada and subjects of His Majesty. 35

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. 35

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. 40

Repeal

13. Chapter 154 of the Statutes of 1906 is hereby repealed. 45

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 “

THE RECEIPT OF COMPANY

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THE RECEIPT OF COMPANY

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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.

- 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.

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.*

WHEREAS it is generally recognized that the typhoid ^{Preamble.}
bacilli obtain an entrance into the human organism
usually through the medium of our drinking water, but some-
times by inhalation, or they may be swallowed in polluted
5 food, multiplying by millions in the alimentary canal, if
there is present any fermenting or undigested food; it there-
fore becomes essential for the preservation of the public
health, that these dangerous germs should be promptly des-
troyed by disinfection when expelled from the body, thus
10 annually 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:

1. *The Criminal Code* is hereby amended by inserting <sup>R.S., c. 146.
New sections
added.</sup>
15 therein, immediately after section 222 thereof, the following
sections:

“**222A.** Every one is guilty of an indictable offence, and <sup>Endangering
lives or
health of the
public by
disposing of
typhoid
excreta in
certain ways.</sup>
liable to one year's imprisonment, who endangers the lives
or health “of the public by emptying or depositing any
20 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.

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. PARRETT

Printer to the King's most Excellent Majesty
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. 5
- 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. 10
- 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 determine by by-law, but the directors may establish other offices and places of business elsewhere. 15
- Other offices.
- 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. 20
- 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. 25
- 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. 35
- 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; and no application for such certificate shall be made, and no such certificate shall be given, until the board of 40
- Certificate. 45

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. 5
- 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 10 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. 15
- 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 20 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 25 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. 30
- 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: 35
- 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 40 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
- Limitation of amount held on deposit.** 45

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

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.

Loans to shareholders to be deducted from capital.

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.

As to liabilities to the public.

10 **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.

Decrease of capital.

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.

Contents of by-law.

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.

Rights of creditors preserved.

20 **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.

Requisites for validity of by-law.

Certificate of Minister of Finance.

30 **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.

Requisites for such certificate.

Proviso.

45 **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-

Debenture stock.

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.	5
Rank.		10
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.	15 20
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.	25
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.	30
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.	35 40
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) 5 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 10 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.

21. The Company may, in general meeting of its share- 15 holders 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 20 directors may give effect to such by-law without being liable or responsible as for any breach of trust in so doing.

Extension of business outside of Canada.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada, the Com- 25 pany 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.

Property and buildings for agencies abroad.

30 **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.

Agencies abroad.

23. The Company may purchase, acquire and undertake, 35 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 40 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 45 manner; and the Company and any such other company may enter into agreements for such purchase and sale and do

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

Payment.

Power to other companies to sell.

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. 5

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. 10 15

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. 20

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. 25 30 35

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 40 45

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
 5 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
 10 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
 15 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.

20 **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,
 25 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
 30 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
 35 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
 40 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.

Requirements
in case of
transmission
by will or
intestacy.

45 **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

Directors
may apply
to court in
case of
doubt.

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 5 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 10 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 15 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 20 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, 25 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.

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

30. No parcel of land or interest therein at any time 30 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 35 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 40 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 45 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

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

THE SENATE OF CANADA.

BILL I.

An Act respecting The Trust and Loan Company
of Canada.

WHEREAS The Trust and Loan Company of Canada has Preamble.
by its petition prayed that it be enacted as hereinafter 1910 c. 168.
set forth and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
5 and consent of the Senate and House of Commons of Canada,
enacts as follows:—

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

10 “**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.”

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

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

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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
5 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
10 the following words:—

“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
15 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
20 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.”

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

“2. The said corporation may authorize and empower any annual conference from time to time existing to establish,

1884, c. 106.
s. 5 amended.

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

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 5 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 10 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, organiza- 15 tion, 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 20 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.

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 25 “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.”

Application
of price of
sale of land.

Schedule B,
para. 21
amended.
As to trust-
tees, and
vacancies and
replacement.

4. Paragraph 21 of Schedule B of the said Act is hereby amended as follows:— 30

(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.” 35

(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 40 “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 45 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.

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
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1911-12

THE SENATE OF CANADA.

BILL K.

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

WHEREAS Ezra Butler Eddy, late of the city of Hull Preamble.
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
5 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 condi-
10 tion 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
15 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:—

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

2. The change of name effected by section 1 of this Act Rights
shall not in any way impair, alter or affect any right, obli- saved.
gation or liability of the said Ezra Butler Eddy Bessey,
25 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.

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

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1911

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

'THE SENATE OF CANADA.

BILL L.

An Act for the relief of Edna Wells.

WHEREAS Edna Wells, presently residing at the city of Preamble.
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 mar-
5 ried 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
10 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
15 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
20 be granted: Therefore His Majesty, by and with the
advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

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

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.

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

THE SENATE OF CANADA.

BILL M.

An Act respecting certain patents of The Continental Can Company.

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:—

[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

Preamble.

Power to Commissioner of Patents to order that certain conditions

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 5
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

THE SENATE OF CANADA.

BILL N.

An Act to incorporate the Dominion Pacific 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:—

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

Preamble.

Incorporation.

Corporate name.

Provisional directors.

Capital stock.
Calls thereon.

Issue of preference stock.

- 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.
- 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.
- 5.** The head office of the Company shall be in the city of Ottawa in the province of Ontario.
- 6.** The annual meeting of the shareholders shall be held on the first Tuesday in September.
- 7.** The number of directors shall be not less than five, nor more than nine, one or more of whom may be paid directors.
- 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.
- 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.
- 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.

Priority.

Status of holders.

Head office.

Annual meeting.

Number of directors.

Line of railway described.

Consent of municipalities.

Issue of securities.

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. R.S., c. 126. graph 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. 5 10

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. 15 20

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. 25 30

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. PARRETT

Printer to the King's most Excellent Majesty
1911-12

THE SENATE OF CANADA.

BILL O.

An Act respecting The Protectorate Life Assurance
Company of Canada.

WHEREAS a petition has been presented praying that
it be enacted as hereinafter set forth, and it is ex-
pedient 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 fol-
lows:—

- 1.** Notwithstanding anything in section 78 of *The In-*
surance 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.
- 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.

Preamble
1910, c. 151.

Powers to do
business
revived and
continued.

1910, c. 32
s. 78.

License.

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

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1911-12

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

THE SENATE OF CANADA.

BILL P.

An Act to repeal *The Naval Service Act*.

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

1. Chapter 43 of the Statutes of 1910, intuled *An Act respecting the Naval Service of Canada*, is hereby repealed.

Preamble.

as

1910, c. 43,
repealed.

THE SENATE OF CANADA.

BILL

P

An Act to repeal The Naval Service Act.

Received and read a first time

Thursday, 8th February, 1912.

Second reading

Tuesday, 13th February, 1912.

Honourable Mr. CHOQUETTE.

OTTAWA

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1911

THE SENATE OF CANADA.

BILL Q.

An Act to incorporate The Universal Eyesight Insurance Company.

WHEREAS the persons hereinafter named have by their Preamble.
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
5 and consent of the Senate and House of Commons of Canada,
enacts as follows:—

- 10 **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.
- 15 **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 thousand dollars. Capital stock.
- 20 **4.** The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars. Subscription before General Meeting.
- 5.** The Company shall not commence business until one hundred thousand dollars of the capital stock have been Commencement of business.

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. 5

1910, c. 32 to apply. **8.** *The Insurance Act, 1910*, shall apply to the Company.

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

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1911-12

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

THE SENATE OF CANADA.

BILL R.

An Act for the relief of Herbert Horsfall.

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:—

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.

Preamble.

Marriage dissolved.

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

THE SENATE OF CANADA.

BILL S.

An Act for the relief of Kenneth Molson.

WHEREAS Kenneth Molson, of the city of Quebec, in Preamble.
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
5 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
10 period between the beginning of June, 1911, and the begin-
ning 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 con-
15 doned the said adultery; that there has not been no collusion
directly or indirectly, between him and her in the pro-
ceedings 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
20 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:—

1. The said marriage between Kenneth Molson and Marriage
25 Mary Letitia Snider, his wife, is hereby dissolved, and dissolved.
shall be henceforth null and void to all intents and pur-
poses 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

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Printer to the King's most Excellent Majesty
1911-12

THE SENATE OF CANADA.

BILL T.

An Act respecting The Rainy River Radial 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. 152.

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 Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

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

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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.

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:—

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.

Preamble.

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.

THE SENATE OF CANADA

BILL

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

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:—

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

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.

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 debenture stock.

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.

Short Title.

Power to
issue debenture
stock.

Amount.

Application.

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 5 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, 10 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 15 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.

4. The debenture stock from time to time issued under 20 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 25 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. 30

1906, c. 100.

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 35 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 40 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. 45

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

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Printer to the King's most Excellent Majesty

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.

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:—

Preamble.

- 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.
- 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

Agreement of 1st May, 1911, ratified.

Power to carry out its provisions.

Agreement of 1st December 1911, ratified.

Powers as to
its term.

Power to
carry out its
provisions.

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.

5
10

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.

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.

To lease same
to G.T.R.

Habendum
determinable
after 20 years
on 5 years'
notice.

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.

Rental $4\frac{1}{2}$ p.c.
of cost.

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-

Betterments.

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. Notwithstanding 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.
Will Pay
Rent.

11. The Lessee covenants with the Lessor as follows:

(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 ($4\frac{1}{2}$) 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, [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.

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.

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.

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

Grant of
joint use.

Habendum
21 Years
\$300,000.00
and Interest
on ½ cost of
betterments.

Payment in
Toronto.

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 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-

Superinten-
dents 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 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 movement 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 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.

(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:—

Local
Passenger
and Mail
traffic.

(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.

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

75% to
Commission
25% to G.T.
R.

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 passenger 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.

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.

Tickets for
G.T.R.
Points.

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

Each Party
responsible
for accidents
on its own
trains.

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.

Apportion-
ment when
fault
unascertain-
able.

Except
statutory
liability of
G.T.R.

Release to
discharge
both Parties.

Collision.

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.

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.

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.

Damage
through fault
of Joint
Agent.

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.

Mutual
Indemnity.

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

Damages
through
Negligence to
be made good
by party in
fault.

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.

No Claim for interruption or delay.

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.

Additional facilities where one party objects to same as betterments on Joint Account.

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

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.

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.

Coal and
water for
G.T.R.
engines.

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.

Statement of
supplies.

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,

Use of
Engine Stalls.

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.

36. All receipts and revenues for facilities afforded or for services rendered to any party other than 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 revenues and also any rentals or other consideration in the nature of rentals received from any other Railway Company.

Revenue from other Railways to be apportioned.

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.

Advertising.

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 failing 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.

Telegraph business.

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

Wrecks.

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.

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.

Commission
covenants for
quiet
enjoyment.

43. In case of any notice to be given to or by the 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.

Mode of
giving
notices.

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 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 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.

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

THE SENATE OF CANADA.

BILL X.

An Act to incorporate The Canadian Public Health Association.

WHEREAS a petition has been presented praying that Preamble.
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
5 and House of Commons of Canada, enacts as follows:—

- 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.
10 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
15 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.,
20 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
25 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

Incorporation.

- 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." 5
- Corporate name.**
- Head office.** 2. The head office of the Association shall be in the city of Ottawa. 15
- 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. 20
- 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; 25
 (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 30 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 35 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 40 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; 45

- (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 (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.
- 10 **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. First general meeting.
- 15 **7.** At the first general meeting of the Association, and at each subsequent annual general meeting, the Association shall elect an executive council. Executive council.
- 8.** The executive council shall elect in the manner provided by the by-laws from time to time in force an executive committee. Executive committee.
- 20 (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
- 25 may exercise, on behalf of the Association, all the powers conferred by this Act on the Association.
- 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
- 30 time for the actual use of the Association shall not exceed two hundred and fifty thousand dollars. Holding of real property.
- 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
- 35 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. Power to receive grants, &c.

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

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:—

- 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.
- 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.

Operation of motor boats unlawful unless certain means of preventing noise are provided and effectively used.

Penalty.

THE SENATE OF CANADA.

BILL

Y

An Act to require the use of under-
water 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

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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.

WHEREAS Ethel May Stewart, presently residing in the ^{Preamble} 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 5 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 10 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 15 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 20 be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Ethel May Martin and ^{Marriage dissolved.} George Stewart, her husband, is hereby dissolved, and shall 25 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 here-
after marry any man whom she might lawfully marry if the
said marriage with the said George Stewart has not been
solemnized.

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

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.

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.

THE SENATE OF CANADA.

BILL

A₂

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

THE SENATE OF CANADA.

BILL B₂.

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 north-westerly, 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 than 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.** **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 5
of *The Railway Act*, the Company may, for any of the pur-
poses specified in the said section 361, enter into agreements
with the Canadian Pacific Railway Company, the Grand
Trunk Railway Company of Canada, the Canadian North-
ern Quebec Railway Company, the Grand Trunk Pacific 10
Railway Company, the National Transcontinental Railway.

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. BÉRIÈRE.

OTTAWA

Printed by C. H. PARMELEE

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1911-12

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).

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 57 of the statutes of 1876 is hereby repealed and the following is substituted therefor:—

“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.”

Preamble.
1876, c. 57;
1877, c. 76;
1887, c. 110;
1906, c. 65.

1876, c. 57,
new s. 5.

Powers as to
real estate.

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

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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.

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

1. The Alberta, Peace River and Eastern Railway Com-
pany may, within two years after the passing of this Act,
commence the construction of its railway and expend fifteen
10 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
15 not completed and put in operation, the powers of construc-
tion 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.

Preamble
1910, c. 64.

Extension of
time for
construction.

THE SENATE OF CANADA.

BILL

D².

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

THE SENATE OF CANADA.

BILL E2.

An Act to incorporate The Ottawa and Lake
McGregor Railway Company.

WHEREAS a petition has been presented praying that it ^{Preamble.}
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
5 and House of Commons of Canada, enacts as follows:—

1. Norman McKay Retallack, student, William Smellie ^{Incorporation.}
Mackenzie, clerk, and Joseph Cleóphas Coté, gentleman,
all of the city of Ottawa, in the province of Ontario, Gerald
Clément, of Angers, in the county of Wright and province
10 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 ^{Corporate}
and Lake McGregor Railway Company," hereinafter called ^{name.}
15 "the Company."

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

3. The capital stock of the Company shall be five hundred ^{Capital stock.}
thousand dollars. No one call thereon shall exceed ten per ^{Calls.}
20 cent. on the shares subscribed.

4. The Company, if previously authorized by a resolu- ^{Preference}
tion passed by the ordinary shareholders at any annual ^{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, 5 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 10 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 15 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 20 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 25 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 30 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 under- 35 taking,—
 (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 40 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.

5 **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
10 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
15 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
20 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 tele-
25 phone 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
30 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.

35 **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
40 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
45 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. 5

Issue of securities for purposes other than the railway.

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. 15

Limitation.

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. 25

THE SENATE OF CANADA.

BILL

F₂

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

THE SENATE OF CANADA.

BILL F₂.

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.

10 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
15 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
20 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.

to be held

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. 5

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. 10 15 20

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. 25 30

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. 35

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. 40

Commencement of Act.

9. The several provisions of this Act shall only take effect upon being assented to and accepted by a majority 45

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.

5 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*.
10

Certificate of chairman.

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.

Evidence.

THE GOVERNMENT OF CANADA

Printed by the Queen's Printer, Ottawa, 1911-12

THE GOVERNMENT OF CANADA

1911-12

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Printed to the King's most Excellent Majesty
by the Queen's Printer, Ottawa, 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

THE SENATE OF CANADA.

BILL G2.

An Act for the relief of William Holloway Adams.

WHEREAS William Holloway Adams, of the City of ^{Preamble.}
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
5 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,
10 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
15 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
20 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:—

1. The said marriage between William Holloway Adams ^{Marriage}
and Clara Emily Bebê Woodward, his wife, is hereby ^{dissolved.}
25 dissolved, and shall be henceforth null and void to all
intents and purposes whatsoever.

2. The said William Holloway Adams may at any time ^{Right to}
hereafter marry any woman he might lawfully marry if the ^{marry again.}
said marriage with the said Clara Emily Babê Woodward
30 had not been solemnized.

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

THE SENATE OF CANADA.

BILL H2.

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 McLanaghan, 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 thousand dollars of the capital stock have been subscribed and fifty 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 insurance
contingent upon the lives of persons.
- 1910, c. 32. **8.** *The Insurance Act, 1910*, shall apply to the Company. 5

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 I2.

An Act respecting The British Columbia and Dawson
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
5 Senate and House of Commons of Canada, enacts as follows:—

- 1.** The British Columbia and Dawson Railway Company may lay out, construct and operate the following branch lines of railway:—
- 10 (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;
- 15 (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;
- 20 (c) From the city of Vancouver, by the most feasible route, to a point on the main line at or near Lillooet.
- 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

Preamble.

Branch lines authorized.

Fort George to main line at Telegraph Creek.

From above branch to eastern boundary of British Columbia.

Vancouver to Lillooet.

Issue of securities on branch lines.

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.

THE SENATE OF CANADA.

BILL

I 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

THE SENATE OF CANADA.

BILL J²

An Act respecting The Vancouver, Fraser Valley and Southern 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.

1906, c. 175.

1909, c. 145.

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:—

Extension of time for construction.

(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.

Agreements
with other
companies.

2. Chapter 145 of the statutes of 1909 is hereby repealed.

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. 5

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

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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.

An Act for the relief of Isobell Isaac.

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 law-fully 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:—

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.

Marriage dissolved.

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.

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

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.

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:—

Preamble

Canada
Gazette.
January
20th, 1912.

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.

Name
changed.

Saving of
rights.

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-

Powers of
Company in
Mexico.

Railways.

Tramways.	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.	5
Telegraphs.		
Telephones.		
Carriers.		10
Acquisition of properties of other companies.		15
Issue of share warrants.	<p>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."</p>	20 25
Effect of share warrants.	<p>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.</p>	
Surrender and cancellation entitle to entry as shareholder.	<p>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.</p>	30 35 40
Liability of Company for entry without cancellation.		
To what extent bearer is shareholder.	<p>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 <i>The Companies Act</i>, either to the</p>	

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.

- 5 **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:—
- 10 (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
- 20 a person ceased to be a shareholder.

Particulars. to be entered in register.

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.

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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

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Printer to the King's most Excellent Majesty

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.

THE SENATE OF CANADA
1911
M2
RECEIVED IN THE SENATE
MAY 10 1911
BY THE CLERK OF THE SENATE
J. H. BURNETT
CLERK OF THE SENATE

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

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1911-12

THE SENATE OF CANADA.

BILL N^o. 2.

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:—

5 **1.** Chapter 41 of *The Revised Statutes of Canada, 1906*, R.S., c. 41
intituled *An Act respecting the Militia and Defence of Canada* amended.
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.”

10 **2.** The title of the said chapter shall henceforth be *The* Title
Canadian Army Act. amended.

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

THE SENATE OF CANADA.

BILL O²

An Act respecting The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

5 **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.

10 **1.** Paragraph (e) of section I 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.

15 **2.** Section 6 of the said chapter 91 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. 6, new
section.
Investment
of funds.

20 **3.** 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

1898, c. 91,
s. 4, new
section.
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."

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.

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.

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.

Governing 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;	
Improve- ment.	(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;	5
Sick fund.	(c) To establish a fund for the relief of sick and distressed members;	10
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;	15
Other advantage	(iii) for the relief or maintenance of members in old age; (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.	20
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.	25 30
Branches.	8. Subject to the constitution and by-laws of the Society, 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.	35 40
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 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.

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 member-
ship.
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 constitu-
tion, 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. 5

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. 10

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.

THE SENATE OF CANADA.

BILL,

P₂

An Act to incorporate the Grand Lodge of the Loyal Order of Moose 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

THE SENATE OF CANADA.

BILL Q2.

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:—

- 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."
- 2.** The persons named in section 1 of this Act shall be the provisional directors of the Company.
- 3.** The capital stock of the Company shall be one million dollars, which may be increased to two million dollars.
- 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.

Preamble.

Incorporation.

Corporate name.

Provisional directors.

Capital increase.

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. 5

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. 10

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. 15

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. 20

1910, c. 32 to apply. **8.** *The Insurance Act*, 1910, shall apply to the Company.

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

THE SENATE OF CANADA

BILL R2.

An Act to incorporate The Prince Edward and
Hastings Railway Company.

WHEREAS a petition has been presented praying that it Preamble.
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
5 and House of Commons of Canada, enacts as follows:—

1. G. M. Farrington and Thomas Walmsley, both of the Incorporation.
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,
10 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 Corporate
Railway Company," hereinafter called "the Company." name.
- 15 **2.** The undertaking of the Company is hereby declared Declaration.
to be a work for the general advantage of Canada.
- 3.** The persons named in section 1 of this Act are hereby Provisional
constituted provisional directors of the Company. directors.
- 4.** The capital stock of the Company shall be five Capital
20 hundred thousand dollars. No one call thereon shall ex- stock.
ceed ten per cent. on the shares subscribed. Calls thereon.
- 5.** The Company, if previously authorized by a resolu- Issue of
tion passed by the ordinary shareholders at any annual 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. 5
- 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 10 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 15 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 20 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 25 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 Frank-30 ford, 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 35 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; 40
- (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; 45

(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.

5 **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
10 on with such municipality. Consent of municipalities.

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
15 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
20 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
25 warehousemen. Vessels, etc.
Tolls and charges.
Terminals, wharves, etc.
Forwarding business.

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,
30 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
35 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 of by the Board of Railway Commissioners for
40 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.

45 **13.** For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Com- Transmission and delivery of

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
municipali-
ties
required for
telegraph
and
téléphone
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.

R2-2

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, 1911

Second reading,

Wednesday, 6th March, 1911

Honourable SIR MACKENZIE BOWEN

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1911-12

THE SENATE OF CANADA.

BILL S2.

An Act to incorporate International Guarantee Company.

WHEREAS the persons hereinafter named have by their Preamble.
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
5 and consent of the Senate and House of Commons of
Canada, enacts as follows:—

- 1.** William Robinson and William J. Boyd, merchants, Incorporation
Daniel E. Sprague and Manilus Bull, manufacturers, Neil
T. McMillan, real estate agent, John D. Atchison, architect,
10 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, Corporate
are incorporated under the name of "International Guarante- name.
tee Company" hereinafter called "The Company."
- 2.** The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company. directors.
- 3.** The capital stock of the Company shall be two Capital
million five hundred thousand dollars, which may be stock.
increased to five million dollars. Increase.
- 4.** The amount to be subscribed before the general Subscription
meeting for the election of directors is called shall be one before
hundred and fifty thousand dollars. election of
directors.
- 5.** The head office of the Company shall be in the city Head office.
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. 5

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 guarantee insurance only, when two hundred thousand dollars of its capital stock have been *bona fide* subscribed and sixty thousand dollars thereof have been paid. 10 15

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. 20 25

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. 30

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. 35

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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

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:—

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."

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.

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.	5
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	10
Notice.	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.	15
Election of directors.		
Number and qualification of directors.		20
Proxies for directors.		25
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—	30
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;	35
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;	40
Attorney.	(c) act generally as attorney or agent for any person;	
Certifying stock, etc.	(d) act as agent for the purpose of issuing or counter-signing certificates of stock, bonds or other obligations;	45
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.
- 5 (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.
- 10 (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.
- 15 (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.
- 20 (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.
- 25 (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, 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. Power to courts, etc. to appoint the Company to act. Remuneration. Subjection to orders. Statements.

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35
40

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.

- 45 (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;	5 10 15
Securities specified by trust. As authorized by provincial laws.	(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.	20
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.	25 30
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	35 40 45
Investment of trust monies.		

general trust fund shall not at any time exceed three thousand dollars.

5 **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.

Terms of trusts not affected.

10 **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.

Liability in respect of trusts.

Capital and assets to be security for performance.

Liability of stockholders.

Trust property not liable for Company's obligations.

20 **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.

Holding of real estate acquired by way of investment.

Limitation of time.

30 **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 powers, etc.

Authority requisite.

35 (a) borrow money upon the credit of the Company
 (b) limit or increase the amount to be borrowed;
 (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;
 40 (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;

Borrowing Amount.

Issue of bonds, etc.

Hypothecation of property.

45

- 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. 5
- 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 re-invest the proceeds, all as the directors may from time to time deem expedient. 15
- 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. 20
- 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 hereby authorized and empowered to amalgamate with the Company; and such amalgamation may be by deed, which, however shall not effect such amalgamation until 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; 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 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 25 30 35 40 45
- Approval by Governor in Council.
- Approval by shareholders.
- Name.
- Apportionment of stock

- 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 fying thereof in the office of the Secretary of State of Canada, (no registration or fying 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.
- 40
- 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.

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.

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 filing 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.

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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

THE SENATE OF CANADA.

BILL U2.

An Act for the relief of Alvena Bell Leitch.

WHEREAS Alvena Bell Leitch, presently residing at Preamble.
the city of Toronto, in the province of Ontario, wife
of James Leitch, formerly of the village of Salem, in the
said province, has by her petition alleged, in effect, that they
5 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 Leitch was then and is now in
Canada; that at the said city of Niagara Falls, on or about
10 the twenty-first day of January, A.D. 1911, the said James
Leitch 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,
15 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 Leitch has not
connived at nor condoned the said adultery; that there has
been no collusion directly or indirectly, between him and her
• 20 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
25 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:—

1. The said marriage between Alvena Bell Badgley and Marriage
James Leitch, her husband, is hereby dissolved, and shall be 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 Leitch had not been solemnized. 5

THE SENATE OF CANADA.

BILL

U₂

An Act for the relief of Alvena Bell Leitch.

Received and read a first time

Thursday, 7th March, 1912.

Second reading

Tuesday, 12th March, 1912.

HONOURABLE MR. BARRD.

THE SENATE OF CANADA

BILL V2.

An Act for the relief of Isabella Helen Horncastle.

WHEREAS Isabella Helen Horncastle, presently residing Preamble.
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
5 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
10 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 col-
15 lusion directly or indirectly, between him and her in the pro-
ceedings 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
20 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:—

1. The said marriage between Isabella Helen Smith and Marriage
John Daniel Horncastle, her husband, is hereby dissolved, dissolved.
25 and shall be henceforth null and void to all intents and pur-
poses whatsoever.

2. The said Isabella Helen Smith may at any time here- Right to
after marry any man whom she might lawfully marry if the marry again.
said marriage with the said John Daniel Horncastle had not
30 been solemnized.

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

THE SENATE OF CANADA.

BILL W2.

An Act to incorporate Capital Trust Corporation,
Limited.

WHEREAS a petition has been presented praying that Preamble
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
5 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
15 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
20 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
25 Trust Corporation, Limited," hereinafter called "the Com-
pany." 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. 5
- Powers. **3.** The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each. 15
- 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. 25
- Increase of capital stock. **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. 30
- By-law. **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. 35
- Approval. **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. 45
- Head office. **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. 45
- Branch offices. **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. 45
- Commencement of business. **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. 45
- 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. 45
- 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. A majority of the members of the board of directors shall form a quorum for the transaction of business. 45
- Quorum. **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. 45

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;

- 5 (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
10 subscribe or guarantee money for charitable or benevolent objects, or for any exhibition or for any public, general or useful object;

Employees' benefit associations, pensions, etc.

Subscriptions for charities, exhibitions, etc.

- 15 **11.** The Company shall invest trust moneys as follows—
(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
20 country;
(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
25 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;
(c) in such securities as are authorized by the terms of
30 the trust;
and the Company may manage, sell or dispose of such investments as the terms of the trust require.

Investment of trust moneys.

Mortgages of real estate.

Stock and securities.

Securities specified by trusts.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part
35 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
40 creating the trust provides otherwise.

Existing securities.

- 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
45 other in the registers and other books of account to be kept by the Company, so that trust moneys shall not at any

Trust funds to be kept separate.

Investment of funds. 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 manage- 5 ment 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 10 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 property not liable for debts of Company. **13.** Moneys, properties and securities received or held 15 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, 20 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, 25 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 30 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 35 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 40 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.

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

THE SENATE OF CANADA.

BILL X2.

An Act respecting the Imperial Loan and Investment Company of Canada, Limited.

WHEREAS The Imperial Loan and Investment Company Preamble.
of Canada, Limited, incorporated by chapter 116 of 1899, c. 116.
the statutes of 1899, has by its petition prayed that it be 1904, c. 86.
enacted as hereinafter set forth, and it is expedient to grant
5 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. The capital stock of the said company, which is now Capital
one million dollars, is hereby increased to three million increased.
10 dollars.

2. The shares in the capital stock may be divided into Shares
several classes with any preferential, special, qualified, divisible
deferred or limited rights or conditions as regards dividends, into classes.
capital, voting or otherwise, attached thereto; and the
15 directors of the company may make by-laws from time By-laws
to time for creating and issuing any of such classes of for creation
shares and regarding all matters connected therewith. and issue.

THE SENATE OF CANADA

BILL

X2

Imperial Loan and Investment Company of Canada

Received and read a Bill and second

Reading

Honourable Mr. K.

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

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".

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 name of the Dominion Guarantee Company Limited is hereby changed to "The Dominion-Gresham Guarantee and Casualty Company," hereinafter called "the Company."

Change of corporate name.

3. The Company may—
15 (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;

Business powers.
Burglary insurance.
Form of policies.

20 (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

Title insurance.

Form of certificates or policies.	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;	5
Other kinds of insurance.	(c) carry on the following businesses as defined by <i>The Insurance Act, 1910</i> , namely:— (i) guarantee insurance; (ii) sickness insurance; (iii) accident insurance; (iv) automobile insurance;	10
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.	15
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,—	20
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;	25
Patrol services.	“(ii) establish, equip, maintain and operate services of patrol and watch by persons wearing either uniform or ordinary clothing;	25
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.	30
Messenger services.	5. The Company may establish, acquire, maintain and operate messenger and attendance services.	35
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.	35
Consent of municipalities and conditions as to works on highways, etc.	7. Section 247 of <i>The Railway Act</i> 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.	40
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	45

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 the owner to enter on property.

5 **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.

10 **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.

25 **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.

30 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.

35 4. A majority of the directors shall be a quorum. Quorum.

40 **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 foreign securities.

Power to
mortgage
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.

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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,—

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(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;

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Issue of
bonds in
foreign
currency.

(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.

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Hypotheca-
tion.

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 goodwill 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 goodwill it acquires; provided that such agreement has been first approved by two-thirds of the votes of a special general meeting of the shareholders

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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 5 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 10 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.

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.

Received and read a first time

Tuesday, 12th March, 1912.

Second reading

Thursday, 14th March, 1912.

Honourable MR. CASGRAIN.

THE SENATE OF CANADA.

BILL Z2.

An Act for the relief of George MacKay Sutherland.

WHEREAS George MacKay Sutherland, of the city of Preamble.
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 law-
5 fully 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 com-
mitted adultery with one Kipp Huff; that the said George
10 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, authoriz-
15 ing 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 peti-
tion be granted: Therefore His Majesty, by and with the
advice and consent of the Senate and House of Commons
20 of Canada, enacts as follows:—

1. The said marriage between George MacKay Suther- Marriage
land and Annie Leo Snow, his wife, is hereby dissolved, and dissolved.
shall be henceforth null and void to all intents and purposes
whatsoever.

25 **2.** The said George MacKay Sutherland may at any time Right to
hereafter marry any women he might lawfully marry if the marry again.
said marriage with the said Annie Leo Snow had not been
solemnized.

THE SENATE OF CANADA.

BILL

Z₂

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 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. 5

Rights of preference stockholders.

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. 10

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. 15

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— 20

(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; 30

(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. 35

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. 40

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 5 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 10 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 15 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 20 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 *The Railway Act*, or with 25 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 30 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 35 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 40 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 45 363 of *The Railway Act*, the Company may enter into agreements with other companies. 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. 5

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. DERRYSHIRE,

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty
1911-12

THE SENATE OF CANADA.

BILL B3.

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 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.

Extension of
time for
construction
of under-
taking.
1910, c. 165,
s. 1.

2. Section 1 of chapter 165 of the statutes of 1910 is hereby repealed.

Repeal.

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

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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.

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:—

Preamble.

The Canada Gazette,
March 9th,
1912.

- 10 **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
15 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.
- 20 **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,
25 maintain and operate, and extend, remove, and change as
required, double or single iron or steel railways and branches,

Name
changed.

Saving of
rights.

Powers of
Company
in Mexico.

Railways.

Tramways. 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 5
 Telegraphs. telephone lines and works in connection therewith; and
 Telephones. 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 10
 Carriers. 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 15
 Acquisition of properties of other companies. 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 20 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 re- 25
 ferred 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 30 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 35
 Liability of Company for entry without cancellation. 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 40
 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 55

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 5 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:—

(a) The fact of the issue of the warrant;

10 (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, 15 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.

Particulars to be entered in register.

Date of surrender to be entered.

20 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 25 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 30 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 35 of such warrant.

Directors may vary conditions of issue.

THE SENATE OF CANADA.

BILL

C₃.

An Act respecting Mexico North West-
ern Transportation Company, Limited,
and to change its name to Mexico
North Western Pacific Railway Com-
pany.

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

THE SENATE OF CANADA.

BILL D3.

An Act respecting Alabama Traction, Light and Power Company, Limited.

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:—

Preamble.

The Canada Gazette,
March 2nd,
1912.

- 10 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, 15 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 20 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 25 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

Powers of Company in U. S. A.

Railways.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition
of properties
of other
companies.

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. 5

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." 10

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. 15

Surrender
and
cancellation
entitle to
entry as
shareholder.

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. 20

Liability of
Company for
entry without
cancellation.

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To what
extent bearer
is
shareholder.

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. 30

Warrant will
not qualify
bearer as
director.

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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:— 4

- (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*).

Faint vertical text and markings at the bottom of the page, including "THE ALABAMA TRACTION LIGHT AND POWER COMPANY" and "BIRMINGHAM, ALA." repeated multiple times.

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

THE SENATE OF CANADA.

BILL E3.

An Act for the relief of William Alexander Hunt
Jenkins.

WHEREAS William Alexander Hunt Jenkins, of the city Preamble.
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
5 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
10 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
15 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 dis-
solving his said marriage, authorizing him to marry again,
and affording him such other relief as is deemed meet; and
20 whereas the said allegations have been proved, and it is
expedient that the prayer of his petition be granted: There-
fore His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as
follows:—

25 1. The said marriage between William Alexander Hunt Marriage
Jenkins and Isabella Karns, his wife, is hereby dissolved, dissolved.
and shall be henceforth null and void to all intents and pur-
poses 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.

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

THE SENATE OF CANADA.

BILL F3.

An Act for the relief of Edith Harriet Duffy.

WHEREAS Edith Harriet Duffy, presently residing at ^{Preamble.}
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 mar-
5 ried 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,
10 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 proceed-
ings for divorce; and whereas by her petition she has prayed
15 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
20 the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between Edith Harriet Harris and ^{Marriage}
Charles Rupert Duffy, her husband, is hereby dissolved, ^{dissolved.}
and shall be henceforth null and void to all intents and pur-
25 poses whatsoever.

2. The said Edith Harriet Harris may at any time here- ^{Right to}
after marry any man whom she might lawfully marry if the ^{marry again.}
said marriage with the said Charles Rupert Duffy had not
been solemnized.

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

THE SENATE OF CANADA.

BILL G3.

An Act for the relief of John Angus Kennedy.

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:—

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.

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.

Preamble.

Marriage dissolved.

Right to marry again.

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

THE SENATE OF CANADA.

BILL H3

An Act for the relief of Keitha Seeley.

WHEREAS Keitha Seeley, presently residing in the Preamble.
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
5 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
10 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
15 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, author-
20 izing 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
25 of Canada, enacts as follows:—

1. The said marriage between Keitha Brown and Job Marriage
dissolved.
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.

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.

THE SENATE OF CANADA.

BILL I3.

An Act for the relief of David George Davidson.

WHEREAS David George Davidson, of the city ^{Preamble.}
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
5 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
10 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, be-
tween him and her in the proceedings for divorce; and
15 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:
20 Therefore His Majesty, by and with the advice and consent
of the Senate and House of Commons of Canada, enacts
as follows:—

1. The said marriage between David George Davidson ^{Marriage}
and Jennie Brown, his wife, is hereby dissolved, and shall ^{dissolved.}
25 be henceforth null and void to all intents and purposes
whatsoever.

2. The said David George Davidson may at any time ^{Right to}
hereafter marry any woman he might lawfully marry if ^{marry again.}
the said marriage with the said Jennie Brown had not been
30 solemnized.

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. PARMELEN
Printer to the King's most Excellent Majesty
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.

WHEREAS Henry Greek Wills, of the city of Montreal, ^{Preamble.}
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
5 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,
10 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
15 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
20 and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. The said marriage between Henry Greek Wills and ^{Marriage}
Marion Frances Grant, his wife, is hereby dissolved, and ^{dissolved.}
shall be henceforth null and void to all intents and purposes
25 whatsoever.

2. The said Henry Greek Wills may at any time hereafter ^{Right to}
marry any woman he might lawfully marry if the said mar- ^{marry again.}
riage with the said Marion Frances Grant had not been
solemnized.

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.

