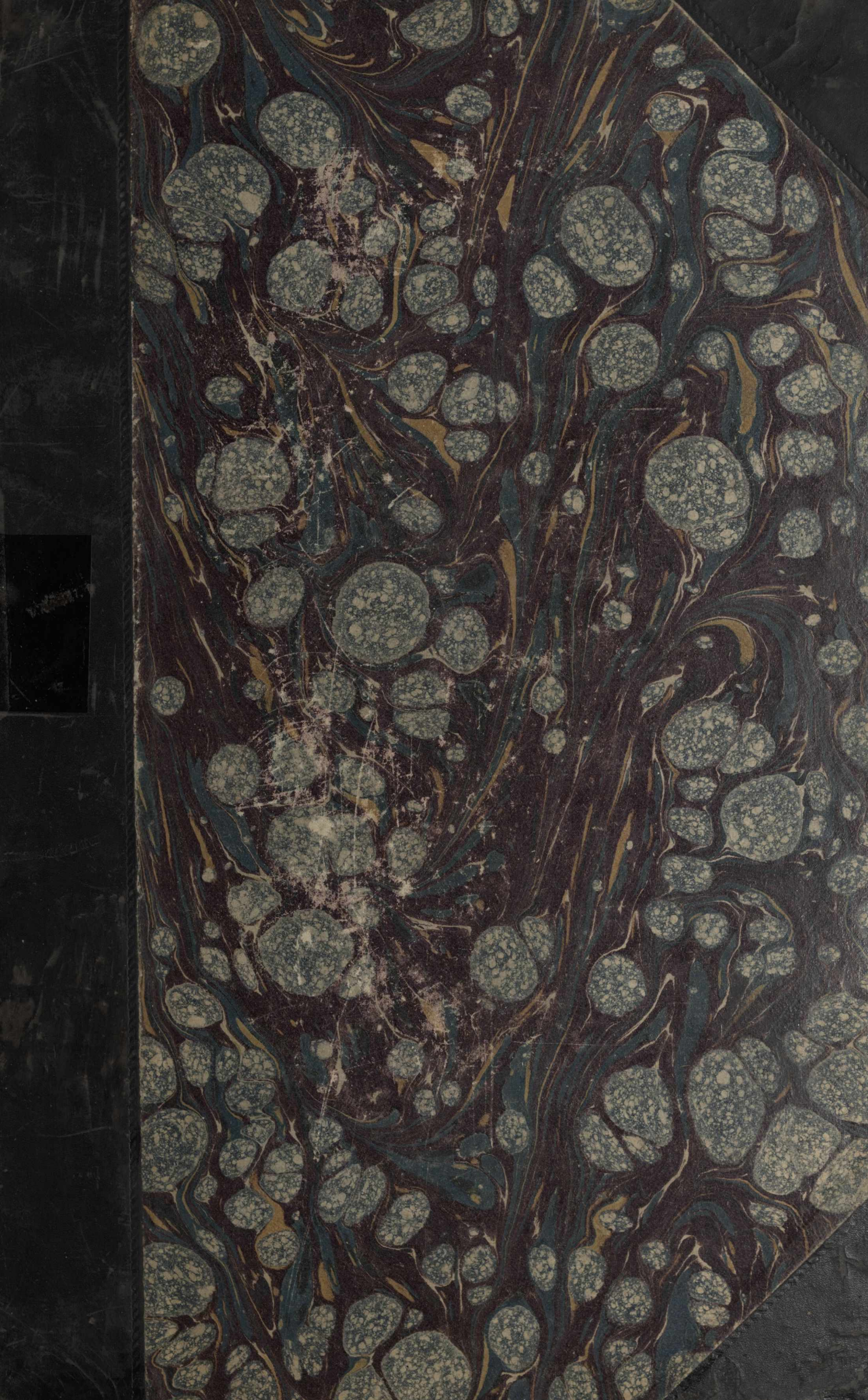

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Nos 144. 151. 152. 153. 154. 155. 156.

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No. 2.] **BILL.** [1901.

An Act to amend the Dominion Elections Act, 1900.

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

1900, c. 12, s. 48 amended.

1. Subsection 6 of section 48 of *The Dominion Elections Act*, 1900, is repealed, and the following is substituted therefor :—

"6. The back of the ballot papers shall bear the name of the printer who prints them."

Form P amended.

2. Form P of the said Act is amended by adding after the words "*Counterfoil to be here*" the following words :—"*the face of which shall be entirely black, similar to the broad black lines across the ballot.*"

Form P amended.

3. Form P is further amended by transferring to the back of the ballot paper the following words :—"*Election of the Electoral District of*....., 19 . *Ballot paper*," and all other words which are placed over the names of the candidates in the compartment known as the heading to the said ballot form.

No. 2.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Dominion Elections Act, 1900.

First reading, February 11, 1901.

MR. INGRAM.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 3.] **BILL.** [1901.

An Act respecting Money-Lenders.

(Reprinted as amended by the Sub-Committee of the Banking and Commerce Committee.)

Preamble.

WHEREAS on the part of some money-lenders a practice has obtained of charging exorbitant rates of interest to needy or ignorant borrowers, and whereas it is in the public interest that the transactions of money-lenders should be controlled by limiting the rates of interest: 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 Money-Lenders Act*, 1901.

Definition. "Money-lender."

2. The expression "money-lender" in this Act shall include any person who carries on the business of money-lending, or advertises or announces himself, or holds himself out in any way, as carrying on that business.

Powers to court for inquiry into transaction and relief of debtor.

3. Where proceedings are taken in any court by a money-lender for the recovery of any money lent after the commencement of this Act, or for the enforcement of any agreement or security made or taken after the commencement of this Act in respect of money lent after the commencement of this Act, and there is evidence which satisfies the court that the interest charged in respect of the sum actually lent is excessive, or that the amount charged for expenses, inquiries, fines, bonus, premium, renewal, or any other charges, is excessive, and that, in either case, the transaction is harsh and unconscionable, the court may re-open the transaction, and take an account between the money-lender and the person sued, and may, notwithstanding any statement or settlement of account or any agreement purporting to close previous dealings and create a new obligation, re-open any account already taken between them, and relieve the person sued from payment of any sum in excess of the sum adjudged by the court to be fairly due in respect of such principal, interest and charges as the court, having regard to the risk and all the circumstances, adjudges to be reasonable; and if any such excess has been paid, or allowed in account, by the debtor, the court may order the creditor to repay it; and the court may set aside, either wholly or in part, or revise, or alter, any security given or agreement made in respect of money lent by the money-lender, and if the money lender has parted with the security may order him to indemnify the borrower or other person sued.

Lender to repay excess.

Powers of court as to security and agreement.

Exception in case of negotiable instrument.

4. The holder in due course of a negotiable instrument discounted by a preceding holder at an excessive rate of interest may nevertheless recover the amount thereof, but the party discharging such instrument may reclaim from the money-lender such amount paid thereon for interest or discount as the court finds to be extortionate.

Recovery of excess in such case.

Rate of interest after judgment.

5. No judgment, whether rendered before or after the coming into force of this Act, shall bear a rate greater than the legal rate of interest.

No. 3.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting Money-Lenders.

(Reprinted as amended by the Sub-Committee of the Banking and Commerce Committee.)

MR. MADORE.

OTTAWA

Printed by S. E. Dawson

Printer to the King's most Excellent Majesty

1901

N° 3.] **BILL.** [1901.

Acte concernant les prêteurs d'argent.

Préambule.

CONSIDÉRANT que des prêteurs d'argent exigent de certains emprunteurs, en abusant de leur inexpérience ou de leurs besoins, des taux d'intérêt excessifs ; et considérant qu'il importe de contrôler les opérations de ces prêteurs en limitant leurs taux d'intérêt : A ces causes, Sa Majesté, par et avec l'avis et le consentement du Sénat et de la Chambre des Communes du Canada, décrète ce qui suit :—

Titre abrégé.

1. Le présent acte pourra être cité sous le titre : "*Acte des prêteurs d'argent*, 1901."

Ce que signifie l'expression "prêteur d'argent" dans cette loi.

2. L'expression "prêteur d'argent," dans le présent acte, comprend toute personne qui exerce les opérations du prêt d'argent, ou qui annonce qu'elle exerce, ou se fait connaître ou se donne d'une façon quelconque comme exerçant ces opérations, et qui a pour pratique d'exiger un intérêt au-dessus de dix pour cent par année ; mais elle ne comprend pas les prêteurs sur gages autorisés en cette qualité.

Limitation de l'intérêt sur effets de commerce, etc., à 20 pour cent.

3. Nonobstant les dispositions du chapitre 127 des Statuts revisés du Canada, aucun prêteur d'argent ne pourra stipuler, allouer ou exiger, dans le cas d'effets de commerce, contrats ou conventions concernant un prêt d'argent, dont le principal sera de moins de cinq cents piastres, un taux d'intérêt ou d'escompte de plus de vingt pour cent par année, et ce taux d'intérêt sera réduit à six pour cent par année à partir de la date du jugement dans toute instance, action ou autre procédure en recouvrement de la somme due.

La cour pourra s'enquérir de la transaction et décharger l'obligé de l'intérêt usuraire, etc.

4. Dans toute poursuite, action ou procédure relative à un prêt d'argent par un prêteur d'argent, dont le principal était originairement de moins de cinq cents piastres, lorsqu'il sera allégué que le montant d'intérêts payé ou réclamé excède le taux de vingt pour cent par année, y compris les sommes demandées pour escompte, commission, déboursés, recherches, amendes, bonus, renouvellements, ou tous autres frais quelconques, à l'exception des frais d'actes susceptibles d'être taxés, la cour pourra rouvrir la transaction et établir un compte entre les parties ; et, nonobstant tout état ou règlement de compte, ou tout contrat tendant à clore des opérations antérieures et à créer une obligation nouvelle, elle pourra remonter à tout compte déjà arrêté entre les parties, et décharger l'obligé du payement de toute somme en plus du dit taux d'intérêt ; si quelque excédent, en pareil cas, avait été payé ou alloué en compte par le débiteur, la cour pourra ordonner au créancier

Le prêteur devra restituer l'excédent.

de le restituer ; elle pourra aussi annuler, soit en tout, soit en partie, ou reviser ou changer toute garantie donnée relativement à la transaction.

Recouvrement de l'excédent en ce cas.

Exception relativement aux effets de commerce.

5. Le porteur de bonne foi, avant l'échéance, d'un effet de commerce escompté ou pris par un porteur antérieur, à un taux d'intérêt excédant celui autorisé par le présent acte, pourra néanmoins en recouvrer le montant ; mais la personne qui aura acquitté l'effet, pourra recouvrer du prêteur d'argent toute somme payée sur cet effet, pour intérêt ou escompte, au delà du montant autorisé par cet acte.

Application du présent acte aux contrats existants ;

Et aux jugements déjà rendus.

6. Le principal de toute somme d'argent mentionnée dans l'article 4 du présent acte, due et exigible avant la date du présent acte, en vertu d'un effet de commerce donné à un prêteur d'argent, ou en vertu de quelque contrat ou convention conclue avec le prêteur d'argent, à raison de deniers prêtés par lui, ne devra point, à compter de cette date, porter un intérêt supérieur au taux de douze pour cent par année ; et, à compter de la date du présent acte, il ne pourra être recouvré plus de six pour cent d'intérêt par année sur tout jugement qui aura été rendu avant la dite date, relativement à l'effet de commerce ou au contrat ou convention de remboursement des deniers prêtés par le prêteur d'argent, et qui accorderait un intérêt de plus de six pour cent par année.

Effets de commerce, etc., non encore échus.

7. Dans le cas de tous tels effets de commerce faits avant l'adoption du présent acte et qui écherront après la date de cet acte, et dans le cas de tous tels contrats et conventions faits avant l'adoption du présent acte et à exécuter après cette date, les dispositions précédentes n'auront leur application que de la date de l'échéance de l'effet ou de l'exécution du contrat ou convention, selon le cas.

L'acte n'augmente pas le taux des intérêts recouvrables.

8. Le présent acte n'aura aucunement l'effet d'augmenter le taux d'intérêt recouvrable dans les cas où celui fixé par la loi est de moins de douze pour cent par année.

Peine en cas d'infraction.

9. Sera coupable d'un acte criminel, et passible d'une année d'emprisonnement ou d'une amende de mille piastres au plus, tout prêteur d'argent qui prêtera à un taux d'intérêt supérieur à celui qui est autorisé par le présent acte.

Réserve.

10. Cet acte ne s'applique pas au territoire du Yukon.

N° 3.

1re Session, 9me Parlement, 1 Edouard

BILL.

Acte concernant les prêteurs d'

Première lecture, lundi, 11 février

M. M.

OTTAWA
Imprimé par S. E. DAWSON
Imprimeur de Sa Très Excellente Majesté
1901

No. 4.] **BILL.** [1901.

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 :—

1888, c. 29, s. 194 amended.

1. The subsection substituted for subsection 3 of section 194 of *The Railway Act*, by section 2 of chapter 28 of the statutes of 1890, is amended by adding thereto the following words : "and no animal not allowed by law to run at large "shall be held for the purpose of such liability to be impro- "perly on a place adjoining the railway if such animal gets "upon the railway from the highway by reason of such omis- "sion or neglect to maintain such cattle guards at the high- "way crossing."

No. 4.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Railway Act.

First reading, February 15, 1901.

MR. LANCASTER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 5.] **BILL.** [1901.

An Act to amend the Act to restrict the importation and employment of Aliens.

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 11 of the statutes of 1897 is repealed, and the following is substituted therefor:— 1897, c. 11, new s. 3.

"**3.** For every violation of any of the provisions of section 1 of this Act, the person, partnership, company or corporation violating it by knowingly assisting, encouraging or soliciting the immigration or importation of any alien or foreigner into Canada, to perform labour or service of any kind under contract or agreement, express or implied, parole or special, with such alien or foreigner previous to his becoming a resident in, or a citizen of Canada, shall forfeit and pay a sum of not more than two hundred dollars and less than fifty dollars. Penalty.

"2. Such sum, together with the costs of the information and conviction, may be sued for and recovered by His Majesty's Attorney General of Canada, or the person duly authorized thereto by him, or upon information laid by any person before two justices of the peace of the county into which such alien or foreigner is imported or in which such person, partnership, company or corporation resides or has its head office. The said sum shall be recoverable in the same manner as debts of like amount are now recovered in any competent court in Canada, and separate suits may be brought for each alien or foreigner who is a party to such contract or agreement. Mode of recovery.

"3. The proceeds shall go into and belong to the funds of the municipality into which such alien or foreigner is imported." Application of proceeds.

2. Section 8 of the said Act is repealed. Section 8 repealed.

No. 5.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Act to restrict the importation and employment of Aliens.

First reading, February 18, 1901.

MR. CLARE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 6.] **BILL.** [1901.

An Act respecting the Supreme Court of the Independent Order of Foresters, and to change its name to the Independent Order of Foresters.

WHEREAS the corporation known as the Supreme Court of the Independent Order of Foresters, hereinafter referred to as the Provincial Corporation, was originally incorporated under chapter 167 of the Revised Statutes of Ontario, 1877; and whereas the Supreme Court of the Independent Order of Foresters, hereinafter referred to as the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being chapter 104 of the statutes of 1889, which was amended by chapter 51 of the statutes of 1896 (First Session), and the said chapter 104 of the statutes of 1889 received the Royal Assent on the second day of May, one thousand eight hundred and eighty-nine; and whereas the Provincial Corporation, on the said second day of May, one thousand eight hundred and eighty-nine, ceased to exercise its corporate powers; and whereas on the said second day of May, one thousand eight hundred and eighty-nine, the Dominion Corporation assumed all the contracts and liabilities of the Provincial Corporation, and has paid all the debts, performed all the duties and fulfilled all the obligations, as they have matured, of the Provincial Corporation, and there are no debts of the Provincial Corporation now remaining undischarged; and whereas the Dominion Corporation has by its petition prayed that it be enacted that it had authority on the second day of May, one thousand eight hundred and eighty-nine, to accept, and did accept on the said date, a transfer from the Provincial Corporation of all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatever kind and wherever situate, belonging to the Provincial Corporation, or to which it was or might become entitled; and whereas the Dominion Corporation has, by its said petition, further prayed that it be enacted that it had authority on the said second day of May, one thousand eight hundred and eighty-nine, to accept, and did accept on the said date, as members in the Dominion Corporation, subject to the provisions of its constitutions and laws, all persons who on the said date were, subject to the constitutions and laws of the Provincial Corporation, in good standing in the Provincial Corporation, and that it, the Dominion Corporation, had authority to assume on the said date, and did assume, all the liabilities of the Provincial Corporation; and whereas the Dominion Corporation has, by its said petition, further prayed for certain amendments to its Act of incorporation; and it is expedient to grant the prayer of the said petition: Therefore

Preamble.

R.S.C., 1877, c. 167.

1889, c. 104.

1896 (1st Sess.) c. 51.

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

Short title.

1. This Act may be cited as *The Independent Order of Foresters Act*, 1901.

Assets transferred to Dominion corporation.

2. The Dominion Corporation defined in the preamble shall be deemed to have had authority on the second day of May, one thousand eight hundred and eighty-nine, to accept, and shall be deemed to have accepted on the said date, a transfer to the Dominion Corporation, its successors and assigns, to its and their own use absolutely, of all the assets, interests, rights, credits, effects and property, real, personal and mixed, of whatever kind and wherever situate, belonging to the Provincial Corporation, also defined in the preamble, or to which the Provincial Corporation was, is, or shall hereafter be entitled.

Liabilities assumed by Dominion corporation.

3. The Dominion Corporation shall be deemed to have had on the second day of May, one thousand eight hundred and eighty-nine, authority to assume, and shall be deemed to have assumed on the said date, all the liabilities of the Provincial Corporation.

Membership in Dominion corporation.

4. The Dominion Corporation shall be deemed to have had authority on the second day of May, one thousand eight hundred and eighty-nine, to accept, and shall be deemed to have accepted on the said date, as members in the Dominion Corporation, subject to the provisions of its constitutions and laws, all persons who, on the said date were, subject to the constitutions and laws of the Provincial Corporation, members in good standing in the Provincial Corporation, and the constitutions and laws of the Dominion Corporation, filed in the office of the Superintendent of Insurance on the thirteenth day of December, one thousand eight hundred and ninety-eight, shall be deemed (until altered, amended or repealed as in the said constitutions and laws provided, or by the Treasury Board pursuant to section 4 of the said chapter 51 of the statutes of 1896, First Session) to be in full force and effect and binding upon every member of the Dominion Corporation, including all of such members as were members of the Provincial Corporation.

1889, c. 104, s. 4 amended.

5. The section substituted by section 1 of chapter 51 of the statutes of 1896 (First Session) for section 4 of chapter 104 of the statutes of 1889, is amended by striking out the words "three hundred and fifty thousand dollars" in the third line thereof and substituting therefor the words "in the whole at any one time the annual value of twenty thousand dollars."

Section 6 amended.

6. Section 6 of chapter 104 of the statutes of 1889, is amended by inserting after the words "or any of the provinces thereof" in the seventh line of the said section the words "or in any of the securities specified in subsections 1 and 2 of section 50 of *The Insurance Act*."

7. Subsection 3 of section 4 of chapter 51 of the statutes of 1896 (First Session) is amended by inserting after the words "Supreme Chief Ranger," in the second line of the said subsection, the words "or in the absence of the Supreme Chief Ranger, the Past Supreme Chief Ranger, or the Supreme Vice Chief Ranger." 1896 (1st Sess.) c. 51, s. 4, s-s. 3 amended.

8. Subsection 7 of section 4 of chapter 51 of the statutes of 1896 (First Session) is amended by striking out the words "this society" in the fifth line of the said subsection 7 and substituting in lieu thereof the words "this Fraternal Benefit Society." Subsection 7 amended.

9. Section 10 of chapter 51 of the statutes of 1896 (First Session) is amended by striking out the words "capitation tax" in the second and tenth lines of the said section and substituting in lieu thereof the word "taxes." Section 10 amended.

10. The name of the Supreme Court of the Independent Order of Foresters is hereby changed to "The Independent Order of Foresters." Name changed.

No. 6.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the Supreme Court of the Independent Order of Foresters, and to change its name to the Independent Order of Foresters.

First reading, February 21, 1901.

(PRIVATE BILL.)

MR. EMMERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 7.] **BILL.** [1901.

An Act relating to the Grand Trunk Railway Company of Canada.

Preamble.

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

Schedule confirmed.

1. The agreement set forth in the schedule to this Act is ratified and confirmed and declared to be valid and binding on the parties thereto, and the Grand Trunk Railway Company of Canada may carry out and give full effect to the several provisions of the said agreement to the full extent contemplated by the several provisions of the said agreement as therein set forth.

When Act to take effect.

Notice to shareholders.

2. This Act shall not take effect unless and until it is submitted to a general meeting of the said company and is accepted by a majority of two-thirds of the votes of the persons present or represented by proxy at such meeting and entitled to vote thereat; provided that notice of the submission of this Act to such meeting shall be duly given, and the certificate of the chairman of such meeting shall be sufficient evidence of its acceptance by the proprietors, and such certificate shall be filed in the office of the Secretary of State of Canada, and copies thereof certified by the Secretary of State shall be sufficient evidence in all courts of the acceptance thereof, and on the acceptance of this Act, as herein provided, the same shall take effect.

SCHEDULE.

MEMORANDUM OF AGREEMENT, made and entered into this 28th day of December, A.D. 1900, by and between the Cincinnati, Saginaw and Mackinaw Railway Company (hereinafter called the Saginaw Company), party of the first part; the Grand Trunk Railway Company of Canada (hereinafter called the Grand Trunk Company), party of the second part; the Chicago and Grand Trunk Railway Company (hereinafter called the Chicago Company), party of the third part; and Wellington R. Burt, A. W. Wright, George H. Russell, Albert M. Marshall and T. H. Marshall (hereinafter called the Stockholders), parties of the fourth part.

Whereas, under date of the second day of October, A.D. 1890, an agreement was made between the Saginaw Company, the Grand Trunk Company, the Chicago Company, and the said A. W. Wright, Wellington R. Burt and C. W. Wells (then the owners and holders of the entire capital stock of the Saginaw Company), in and by which, among other things, the Saginaw Company leased to the Grand Trunk Company and the Chicago Company its entire railroad and property for the term of twenty-nine years and two months from and after the first day of November, 1890; and eight thousand two hundred and fifty (8,250) shares of the capital stock of the Saginaw Company were sold, assigned and transferred to the Grand Trunk Company;

And whereas, by a subsequent agreement between the Grand Trunk Company and the Chicago Company, bearing the same date as the agreement aforesaid, the latter company, as between itself and the former company, became the sole lessee of said railroad and property of the Saginaw Company, and undertook and assumed to fulfil and perform all the obligations imposed by said first-named agreement upon itself and the Grand Trunk Company, and to relieve the latter company in all respects therefrom;

And whereas, The Saginaw Company has a bond debt, in the aggregate amount of one million seven hundred and twenty-nine thousand dollars ($1,729,000) now outstanding, which is secured by a mortgage upon its said railroad and property to the Central Trust Company, Trustee, which mortgage bears date the first day of January, A.D. 1890;

And whereas, The Stockholders are the holders of all the said bonds of the Saginaw Company, excepting thirty-two thousand dollars ($32,000) thereof, which are held and owned by the Grand Trunk Company;

And whereas, All the parties hereto are desirous of terminating said two agreements, retiring said bonds of the Saginaw Company, and cancelling the said mortgage securing the same, on the terms and conditions hereinafter specified:

Now, therefore, this agreement witnesseth as follows, viz.:

First. That the said agreements of the second day of October, A.D. 1890, are hereby cancelled and annulled.

Second. That the Saginaw Company hereby lets and leases to the Grand Trunk Company, its successors and assigns, for the term of ninety-nine (99) years from the first day of January, A.D. 1901, its entire railroad franchises and property of every name, nature, character and description, including its railroad tracks, rights of way, locomotives, cars, tools, implements, station and other buildings, and all real estate belonging to it, wherever situated, and hereby delivers possession thereof to the Grand Trunk Company:

To have, hold and enjoy said demised premises and property, and every part thereof, for the term aforesaid, on the conditions hereinafter embodied, and subject to the right of the Grand Trunk Company, at its option, on the expiration of said term, to a renewal of this lease for a further like term on the same conditions.

A schedule of said personal property is hereto attached.

Third. That the Saginaw Company hereby covenants that it is well seized of a good and perfect title, clear of all incumbrances,

to the railroad, rights of way and other real estate and property embraced in this lease, excepting only said mortgage of the Saginaw Company securing its issue of bonds as aforesaid; and it hereby agrees that it will protect and save the Grand Trunk Company harmless from any such liens or incumbrances. This covenant is not intended to embrace any liens or incumbrances which have accrued since said agreements of the second day of October, A.D. 1890, for claims that by the terms of said agreements should have been paid and discharged by the Grand Trunk Company or the Chicago Company.

Fourth. That in consideration of said lease, and as a rental for said railroad and property, the Grand Trunk Company hereby agrees to pay to the Saginaw Company, during the term of this lease, the semi-annnal sum of twenty-one thousand six hundred and twelve dollars and fifty cents ($21,612.50), payable on the first days of July and January in each year, the first payment to fall due July 1, 1901.

Fifth. That the Grand Trunk Company and the stockholders hereby agree to at once surrender said bonds of the Saginaw Company, and all unpaid and partly paid coupons thereof, to said Central Trust Company, trustee, for cancellation, which cancellation they consent to and authorize and request said trustee to make; and upon the due cancellation of said bonds and coupons, they hereby authorize and request said trustee to discharge said mortgage as fully paid and satisfied.

Sixth. That the Grand Trunk Company shall at once, on the discharge of said mortgage, deliver to the Saginaw Company all stock of the latter company held by it as aforesaid, to wit: eight thousand two hundred and fifty (8,250) shares.

Seventh. That the Grand Trunk Company, the Saginaw Company and the stockholders hereby mutually agree that the present owners and holders of said bonds of the Saginaw Company, on surrender and cancellation thereof as hereinbefore provided, shall each receive certificates of stock of the Saginaw Company in such percentage of the total stock of that company as their present holding of the principal of said bonds of the Saginaw Company is to the total issue thereof now outstanding as aforesaid; and the Saginaw Company hereby covenants and agrees that during the term of this lease the semi-annual rental paid by the Grand Trunk Company as aforesaid shall, within ninety (90) days after its receipt by the Saginaw Company each year, be paid to the holders of the capital stock of the latter company, as dividends on such stock after deducting from the amount of said rental, when needed, a sum not exceeding two hundred dollars ($200) in any one year, to cover the expenses of the Saginaw Company.

Eighth. That the Grand Trunk Company hereby agrees that it will protect the Saginaw Company and the stockholders from any and all claims of whatever nature arising out of the operation by the Grand Trunk Company of said railroad of the Saginaw Company, which may hereafter accrue, and from any and all claims that have heretofore accrued in connection with the operation of said railroad by the Chicago Company or the Grand Trunk Company; and from any and all obligations and contracts incurred or made by the Saginaw Company since November 1, 1890; that it will pay all taxes and assessments of every name, nature and description assessed

against said railroad and property of the Saginaw Company, including all taxes and assessments levied since November 1, 1890, whether under laws now in force or that may hereafter be passed, during the term of this lease; that it will keep up and maintain the railroad, road-bed, buildings, tools and all equipment, in as good condition as when received by it; and that it will, in good faith, maintain and operate said railroad, and at the expiration of this lease, return the same in like good condition, replacing and renewing said property from time to time as the same shall be destroyed or worn out.

Ninth. That any breach of the covenants or undertakings of the Grand Trunk Company contained in this lease shall, at the option of the Saginaw Company, be good and sufficient cause of forfeiture of all rights of the Grand Trunk Company hereunder; and that the claim by the Saginaw Company, and the resumption by it, of possession of said railroad and property, on account of such breach, shall not relieve the Grand Trunk Company from any legal liability it may be under for damages to the Saginaw Company for breach of said covenants or undertakings: Provided, however, that any and all differences between the Saginaw Company and the Grand Trunk Company, in respect of any claimed breach of this agreement by either of them, shall be first submitted for arbitration and decision to three disinterested persons, one to be chosen by the Grand Trunk Company and another to be chosen by the Saginaw Company, and the persons thus chosen to select the third person. The decision of a majority of such arbitrators shall be final. No right of action or right to take any proceeding, contemplated by this provision or which may be warranted by law, shall accrue until after the decision of such arbitrators shall have been made, and not then, if the party against which the award is made shall, within the time fixed by the award, comply with the terms and conditions thereof. The arbitrators chosen as herein provided shall have full power to find and settle the facts in any matter so submitted to them, and to fix and prescribe what the offending party shall do in the premises, the time within which it shall be done, and the pecuniary compensation that such party shall make and the time of making it.

Tenth. That the railroad of the Saginaw Company shall be operated by the Grand Trunk Company in its own name and not in the name of the Saginaw Company.

In witness whereof the parties aforesaid have executed this agreement, in quadruplicate, on the day and year first above written.

In the presence of:
E. W. MEDDAUGH,
W. A. RANKIN.

[L.S.] THE CINCINNATI, SAGINAW & MACKINAW RAILWAY COMPANY,

By A. W. WRIGHT,
its President
Attest, JAS. H. MUIR,
Secretary.

In the presence of:
E. W. MEDDAUGH,
G. A. MCNICHOLL.

[L.S.] THE GRAND TRUNK RAILWAY COMPANY OF CANADA,

By GEO. B. REEVE,
its 2nd Vice President and Genl. Mgr.

In the presence of:
E. W. MEDDAUGH.
W. A. RANKIN.

[L.S.] THE CHICAGO & GRAND TRUNK RAILWAY COMPANY,

By GEO. B. REEVE,
its President.
Attest, JAS. H. MUIR,
Treasurer.

In the presence of:

H. A. WHIPPLE,
W. T. KNOWLTON,
as to A. W. W. & W. R. B.

A. W. WRIGHT. [L.S.]
W. R. BURT. [L.S.]

H. P. BORGMAN,
W. E. BULLARD,
as to G. H. R.

GEO. H. RUSSELL. [L.S.]

H. A. WHIPPLE,
W. T. KNOWLTON,
as to A. M. M. & T. H. M.

A. M. MARSHALL. [L.S.]
T. H. MARSHALL. [L.S.]

By A. M. MARSHALL,
His Att'y in fact.

SCHEDULE of Personal Property of the Cincinnati, Saginaw and Mackinaw Railroad Company, referred to in the foregoing lease:—

Eight locomotives, numbered, respectively, 100, 101, 102, 103, 104, 105, 106 and 107.

Fourteen passenger coaches, including combination coaches, numbered, respectively, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14.

Thirty box cars.
Sixty-five flat cars.
Two cabin cars.
Two hand cars.
Three push cars.
One derrick.
One gravel-plow and cable.
Wrecking fixtures, tools, etc.

No. 7.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act relating to the Grand Trunk Railway Company of Canada.

First reading, February 21, 1901.

(PRIVATE BILL.)

MR. GEOFFRION.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 8] **BILL.** [1901.

An Act respecting the Grand Trunk Railway Company of Canada

Preamble.

WHEREAS the Grand Trunk Western Railway Company has become the owner of the property and assets of the Chicago and Grand Trunk Railway Company, a corporation existing under the laws of the States of Michigan, Indiana and Illinois, in the United States; and whereas an agreement has been entered into between the Grand Trunk Western Railway Company and the Grand Trunk Railway Company of Canada, which agreement is set forth in the schedule to this Act; and whereas the Grand Trunk Railway Company of Canada has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as *The Grand Trunk Railway Act*, 1901.

Schedule confirmed.

2. The agreement dated the twenty-second day of November, nineteen hundred, set forth in the schedule to this Act, is ratified and confirmed and declared to be valid and binding on the parties thereto.

Certain powers to apply to the securities of G. W. Ry. Co.

3. The powers conferred upon the Grand Trunk Railway Company of Canada by any statutes now in force respecting the said company and the Chicago and Grand Trunk Railway Company of holding shares, stocks, bonds or other securities in any company, as provided by such statutes, and of raising and applying the Consolidated Debenture Stock of the Grand Trunk Railway Company of Canada, by the said statutes authorized, in making advances to or acquiring by exchange, purchase or otherwise, the securities and interest bearing obligations of the Chicago and Grand Trunk Railway Company, shall, subject as aforesaid, apply to the holding of shares, stocks, bonds, or other securities and to the acquiring, in manner aforesaid, the securities and interest bearing obligations of and making advances to the Grand Trunk Western Railway Company; and the several securities heretofore issued under the provisions of the various statutes relating to the Grand Trunk Railway Company of Canada, and the relative positions of the said securities, and the borrowing powers of the said company in the said statutes set forth, and the acts done under the said statutes, shall not be curtailed, lessened or impaired by this Act.

Exchange of securities in certain cases.

4. Where under the powers of the statutes now in force, as amended by this Act, the Grand Trunk Railway Company of Canada holds for the time being any securities or interest bearing obligations in any other company, the directors of the Grand Trunk Railway Company of Canada may, if they think fit, upon any reconstruction or transfer of the undertaking of any such other company to any new or other company, or upon any reconstruction or arrangement of the securities or obligations of such other company, concur in such reconstruction, transfer or arrangement and may accept and hold new stock or securities in exchange or substitution for the securities originally held by the company and may deal with or dispose thereof in the same manner as they might have dealt with or disposed of such last mentioned securities under the provisions of the statutes authorizing the same.

Borrowing powers not affected.

5. This Act shall not interfere with or lessen the borrowing powers of the Grand Trunk Railway Company of Canada under any statute in force at the time this Act takes effect.

Application of specific borrowing powers to general purposes.

6. At any general meeting of the Company, duly called, the proprietors, by the vote of a majority thereof present or represented by proxy, and entitled to vote thereat, may authorize and empower the directors to apply from time to time, as required, the borrowing powers of the Company granted by the statutes now in force for specific or particular purposes, but not heretofore exercised, used or exhausted for such purposes, to the general purposes of the Company, in the same manner as if such exercise and application had been so authorized by the statutes under which the said unexercised or unexhausted borrowing powers were granted, and in each case the certificate of the secretary of the meeting that a resolution to that effect has been passed by the vote of a majority of the proprietors present or represented by proxy, and entitled to vote at such meeting, shall be full authority to the directors for applying and using the said unexercised or unexhausted borrowing powers for the general purposes of the Company.

When Act to take effect.

7. This Act shall not take effect unless and until it is submitted to a general meeting of the Grand Trunk Railway Company of Canada and is accepted by a majority of two-thirds of the votes of the persons present or represented by proxy at such meeting and entitled to vote thereat, and provided that notice of the submission of this Act to such meeting was duly given. The certificate of the chairman of such meeting shall be sufficient evidence of its acceptance by the proprietors, and such certificate shall be filed in the office of the Secretary of State of Canada, and copies thereof, certified by the Secretary of State, shall be sufficient evidence in all courts of the acceptance thereof, and on the acceptance of this Act, as herein provided, it shall take effect.

Proof of acceptance of proprietors.

SCHEDULE.

INTEREST GUARANTY AGREEMENT BETWEEN THE GRAND TRUNK WESTERN RAILWAY COMPANY AND THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

Memorandum of Agreement made and entered into this 22nd day of November, A.D. 1900, between the Grand Trunk Western Railway Company, a corporation existing under and by virtue of the laws of the States of Michigan and Indiana (hereinafter called the Western Company), party of the first part, and the Grand Trunk Railway Company of Canada (hereinafter called the Trunk Company), party of the second part.

Whereas The Western Company is about to execute and issue its first mortgage bonds in the aggregate sum of fifteen million dollars, both principal and interest to be paid in the gold coin of the United States of the present standard of weight and fineness, bearing date the thirtieth day of November A.D., 1900, and payable on the first day of July A.D., 1950, with interest at the rate of four per cent per annum, payable half yearly; which bonds are to be secured by a first mortgage or trust deed of all the Western Company's railroad, property and franchises, including the Trunk Company's obligations, hereinafter specified, respecting the interest on said bonds;

And whereas The Western Company is about to execute and issue its income bonds in the agregate sum of one million and five hundred thousand dollars, which bonds are to be secured by a second mortgage or deed of trust of all the Western Company's railroad, property and franchises;

And whereas the purchasing trustees, under a certain plan for the reorganization of the Chicago & Grand Trunk Railway Company,—having acquired all the shares of the capital stock of the Western Company, and being entitled to receive all of said issue of one million and five hundred thousand dollars of income bonds of the Western Company and all of said issue of fifteen million dollars of first mortgage bonds of the Western Company, except an amount not exceeding four million and five hundred thousand dollars thereof which is to be reserved under said mortgage and issued from time to time hereafter for the uses of the Western Company; and also except five hundred and sixty-three thousand dollars thereof which are to be reserved for issue in payment of the mortgage bonds of the North Western Grand Trunk Railway Company in like amount,—have sold and transferred to the Trunk Company all said shares of the capital stock of the Western Company in consideration of the undertaking of the Trunk Company to execute this agreement with the Western Company and to indorse the guaranty of the Trunk Company, hereinafter set forth, upon each of said first mortgage bonds, in order thereby to increase the value and marketability of said bonds:—

NOW, THEREFORE, IT IS MUTUALLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

First. The Trunk Company agrees that it will absolutely and unconditionally guarantee the due and prompt payment, semi-annually, of the coupons and interest for the term of fifty years from the first day of July, A.D., 1900, on all said first mortgage bonds of the Western Company that may be issued and outstanding under said first mortgage of the Western Company, to the aggregate principal sum of fifteen million dollars, and that forthwith upon their issue it will execute upon each of said bonds its guaranty in the words following, viz.:—

"The Grand Trunk Railway Company of Canada (hereinafter called the Company) acknowledges that the within bond was subscribed for on condition and in part consideration that the Company would give the guaranty following, and, accordingly, the Company hereby absolutely and unconditionally guarantees the due payment of the several interest coupons attached to the within bond; and, in case of registration of the bond and cancellation of the coupons, it guarantees, in like manner, payment of the semi-annual instalments of interest thereon to July 1st, A.D., 1950.

"Dated this .... day of..... A.D., 19...

.....

"For the Grand Trunk Railway Company of Canada."

Second. As additional security for the payment of the coupons and interest on said first mortgage bonds, the Trunk Company further agrees that in each half year during the term of fifty years from July 1st, A.D., 1900, it will set apart and apply to the payment of the coupons and interest for the same half year on all such first mortgage bonds then outstanding such portion, up to but not exceeding thirty per cent of the gross receipts of the Trunk Company from all traffic interchanged by it with the Western Company during the same half year as may be required to pay any portion of such coupons and interest for such half year that shall not be paid by the Western Company; and the Trunk Company hereby charges its gross receipts from such interchanged traffic in each half year, up to but not exceeding thirty per cent thereof, with such payment of such coupons and interest for that half year.

Third. The Trunk Company shall promptly, on each first day of January and each first day of July during said term of fifty years, and at the place where the coupons and interest on said first mortgage bonds shall be payable, according to the terms of such bonds and coupons, take up or pay the whole of the interest and coupons for the six months ending on such first day of January or July, as the case may be, which shall not be paid by the Western Company, and shall provide the money required for that purpose. All coupons so taken up by the Trunk Company shall be held by it uncancelled, but shall be stamped with the following words, viz.:—"Paid by the Grand

Trunk Railway Company of Canada and retired for its benefit under its agreement of November 22nd, A.D., 1900, with the Grand Trunk Western Railway Company."

The amount of the coupons and interest so taken up or paid by the Trunk Company shall be repayable by the Western Company to the Trunk Company only as follows, viz.: The Western Company shall each year apply, toward repayment of the amount of such coupons and interest taken up or paid by the Trunk Company, so much of the net income of the Western Company in each year as shall remain, if any, after paying its operating and maintenance expenses, as herein defined, and full interest for the same year at the rate of four per cent per annum on said issue of income bonds, in accordance with the terms of said income bonds, and all fixed charges, including the full interest then in arrears on said issue of first mortgage bonds: and after payment in full of the whole of said issue of first mortgage bonds, at or before maturity, and of the whole of said issue of income bonds, any unpaid remainder of the amount so to be repaid to the Trunk Company shall become payable out of any remaining assets of the Western Company.

Such coupons taken up or paid by the Trunk Company, and the claim of the Trunk Company for the repayment of the coupons and interest taken up or paid by it hereunder, shall remain in force as valid obligations for the purpose of securing such repayment of the amount thereof to the Trunk Company, as hereinbefore provided, and the statute of limitations shall not bar the claim of the Trunk Company in respect thereof; but such coupons and all claims of the Trunk Company in respect of the coupons and interest taken up or paid by it shall at all times and for all purposes be subject and subordinate, as to lien, rights and security, to said first mortgage bonds and the coupons and claims for interest thereon (other than coupons and interest taken up or paid by the Trunk Company), and also to said income bonds; and the same shall not be enforceable, as against any property covered by said first mortgage or the mortgage securing said income bonds, until the whole amount of the principal, coupons and interest of said first mortgage bonds (other than coupons and interest taken up or paid by the Trunk Company), and the whole amount of the principal of said income bonds and any sums which shall have become payable for interest thereon, shall have become due and shall have been paid.

Fourth. The term "operating and maintenance expenses," as used in this agreement, shall be deemed to include rents, taxes, insurance of all kinds, the necessary establishment charges of the Western Company, all expenses of the company in working its railroad, the mileage of rolling stock, expenses of alterations, repairs, renewals and maintenance of the road, buildings and equipments of all kinds, and all other expenses that are usually included in the term "operating and maintenance expenses" by first-class railway companies in the United States.

Fifth. It is mutually agreed by the parties hereto that in the division of rates on traffic interchanged between their respective railways, the Western Company shall at no time receive less than a mileage *pro rata* of such rates; and that on all

traffic originating in Chicago, in the State of Illinois, the Western Company shall be allowed a terminal charge of not less than one per cent per one hundred pounds.

Sixth. It is understood and agreed that this agreement is to be referred to and included in said mortgages to be executed by the Western Company and is to enure to the benefit of the holders of said first mortgage bonds and income bonds with like effect as if they were parties hereto, and shall not be modified or rescinded until said first mortgage bonds and income bonds shall have been fully paid.

It is further expressly declared and agreed that the guaranty to be indorsed on each of said first mortgage bonds shall constitute a separate and independent contract between the Trunk Company and the holder for the time being of the bond; and that no breach of this agreement or other act or omission of the Western Company shall in any way affect or impair any liability or obligation of the Trunk Company under said guaranty or any liability or obligation under this agreement for the security or benefit of the bondholders.

In witness whereof these articles of agreement are executed in quadruplicate by the aforesaid parties, on the day and year first above written, pursuant to and in the manner prescribed by the resolutions of their boards of directors.

[L.S.] THE GRAND TRUNK WESTERN RAILWAY COMPANY.

By CHAS. M. HAYS,
its President.

and CHAS. PERCY,
its Secretary.

Attest: CHAS. PERCY,
Secretary.

[L.S.] THE GRAND TRUNK RAILWAY COMPANY OF CANADA.

By C. RIVERS WILSON,
President

and WALTER LINDLEY,
Secretary.

Attest: JOHN PROFFITT,
Solicitor to Company.

No. 8.

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

BILL

An Act respecting the Grand T
Railway Company of Canada.

First reading, February 21, 190

(PRIVATE BILL.)

MR. GEOFFR

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 9.] **BILL.** [1901.

An Act to amend the Dominion Elections Act, 1900.

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

1900, c. 12, s. 64 amended.

1. Subsection 5 of section 64 of *The Dominion Elections Act*, 1900, is repealed and the following is substituted therefor:—

If name of elector is omitted from list on account of provincial disqualification.

5. If his name has been omitted from the list of voters on account of some disqualifying provision of the provincial law specified in section 6 of *The Franchise Act*, 1898, he shall be entitled to vote upon his taking, or offering to take, the oath in the form T: Provided, however, that it shall be sufficient if any one or more of the four paragraphs (*a*), (*b*), (*c*) and (*d*) in the said form are included in such oath, the remaining paragraphs being eliminated therefrom: Provided further that his right so to vote shall be subject to the provisions of sections 65 to 68 of this Act, and to the other provisions hereinafter contained.

Form P amended.

2. Form P in schedule 1 to the said Act is amended so that the broad black line above the first name on the ballot paper shall extend to the upper edge of the ballot paper, and the broad black line below the last name on the ballot paper shall extend to the lower edge of the ballot paper.

New form T.

3. Form T in schedule 1 to the said Act is repealed and the following is substituted therefor:—

"T—(*Section* 64.)

"*Oath of qualification of voter whose name is omitted on account of Provincial disqualifications.*

"You swear (*or* solemnly affirm) that you are legally qualified to vote at this election and that you verily believe that your name was omitted from the list of voters by reason of your being (*a*) the holder of any office, or (*b*) a person employed in any capacity in the public service of Canada or of the province, or (*c*) a person belonging to or engaged in any profession, calling, employment or occupation, or (*d*) a person belonging to any class of persons who, although possessed of the qualifications generally required by the provincial law, are by such law declared to be disqualified by reason of their belonging to such class."

Penalty for offence by deputy returning officer.

4. Any deputy returning officer who permits or allows any person to take the oath in the preceding section mentioned in any form different from that provided in the said section shall be liable to a fine not exceeding five hundred dollars and not less than two hundred dollars for each offence.

No. 9.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Dominion Elections Act, 1900.

First reading, February 21, 1900.

Mr. Henderson.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 10.] **BILL.** [1901.

An Act to amend the Weights and Measures Act.

IN amendment of *The Weights and Measures Act*, chapter 104 of the Revised Statutes, His Majesty, by and with the advice and consent of the Senate and House of Commons of of Canada, enacts as follows :— R.S.C., c. 104 amended.

1. Every box of berries or currants offered for sale in Canada shall be plainly marked on the side of the box, in black letters at least half an inch square, with the word "Short," unless it contains when level-full as nearly exactly as practicable— Berry and currant boxes.

(*a*) at least four-fifths of a quart, or

(*b*) two-fifths of a quart.

2. Every basket of fruit offered for sale in Canada, unless stamped on the side or cover, plainly in black letters at least three-quarters of an inch deep and wide, with the word "Quart" in full, preceded with the minimum number of quarts, omitting fractions, which the basket will hold when level-full, shall contain, when level-full, one or other of the following quantities :— Baskets of fruit.

(*a*) fifteen quarts or more ;

(*b*) eleven quarts, and be five and three-quarter inches deep, perpendicularly, inside measurement, as nearly exactly as practicable ;

(*c*) six and two-thirds quarts, and be four and five-eighths inches deep, perpendicularly, inside measurement, as nearly exactly as practicable ; or

(*d*) two and two-fifths quarts, as nearly exactly as practicable.

3. Every person who neglects to comply with any provision of this Act and any person who sells or offers for sale any fruit in contravention of the foregoing provisions of this Act, shall be liable, on summary conviction, to a fine of not less than twenty-five cents for each basket so sold or offered for sale ; and the fine shall go to the informant. Penalty.

4. This Act shall come into effect on the first day of February, 1902. Commencement of Act.

No. 10.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Weights and Measures Act.

First Reading, February 21, 1901.

Mr. Smith,
(Wentworth).

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 11.] **BILL.** [1901.

An Act to further amend the Act to restrict the importation and employment of Aliens.

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

1897, c. 11, new s. 3.

1. Section 3 of chapter 11 of the statutes of 1897 is repealed, and the following is substituted therefor:—

Penalty.

"**3.** For every violation of any of the provisions of section 1 of this Act, the person, partnership, company or corporation violating it by knowingly assisting, encouraging or soliciting the immigration or importation of any alien or foreigner into Canada, to perform labour or service of any kind under contract or agreement, express or implied, parole or special, with such alien or foreigner previous to his becoming a resident in or a citizen of Canada, shall forfeit and pay the sum of one thousand dollars.

Mode of recovery.

"2. Such sum, together with the costs of the information and conviction, may be sued for and recovered by His Majesty's Attorney General of Canada, or the person duly authorized thereto by him, or upon information laid by any person before two justices of the peace of the county into which such alien or foreigner is imported, or in which such person, partnership, company or corporation resides or has its head office. The said sum shall be recoverable in the same manner as debts of like amount are now recovered in any competent court in Canada; the proceeds shall be paid into the hands of the Receiver General; and separate suits may be brought for each alien or foreigner who is a party to such contract or agreement."

Section 5 amended.

2. Section 5 of the said Act is amended by striking out the words "or personal friend" in the seventeenth line thereof.

Section 6 amended.

3. Section 6 of the said Act is amended by striking out the word "previously" in the eighth line thereof and substituting therefor the words "immediately and primarily."

Section 8 repealed.

4. Section 8 of the said Act is repealed.

New section 8.

5. Section 9 of the said Act is repealed, and the following is substituted therefor:—

Application of Act.

"**9.** This Act shall apply only to such persons as reside in or are citizens of such foreign countries as have enacted and retained in force, or as enact and retain in force, laws or ordinances applying to Canada of a character similar to this Act."

No. 11.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to further amend the Act to restrict the importation and employment of Aliens.

First reading February 21, 1901.

MR. SMITH,
(Vancouver.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 12.] **BILL.** [1901.

An Act respecting the London Mutual Fire Insurance Company of Canada.

Preamble.

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

1878, c. 40, s. 14 repealed.

1. Section 14 of chapter 40 of the statutes of 1878, intituled "An Act to grant certain powers to The Agricultural Mutual Assurance Association of Canada and to change its name," is repealed.

1889, c. 118, s. 2 amended.

2. Section 2 of chapter 118 of the statutes of 1899 is amended by striking out all the words of the said section after the word "liabilities" in the third line thereof.

Section 9 amended.

3. Paragraph (*b.*) of section 9 of the said last mentioned Act is amended by striking out all the words of the said paragraph after the word "capital" in the third line thereof.

No. 12.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the London Mutual Fire Insurance Company of Canada.

First reading, February 22, 1901.

(PRIVATE BILL.)

MR. HYMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 13.] **BILL.** [1901.

An Act to incorporate the Canada National Railway and Transport 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, declares and enacts as follows:— Preamble.

1. Archibald Campbell, of the town of Toronto Junction, in the county of York, Sidney Findlay McKinnon, Elias Rogers, Frederick Wyld, John Ryan, John Buchanan McColl, John Henry Boyle, Robert Cumming Stewart, Charles C. Van Norman, Thomas Crawford and McDowall Thompson, all of the city of Toronto, in the county of York, Andrew Trew Wood, of the city of Hamilton, in the county of Wentworth, David Wilson and John Chamberlain, of the town of Collingwood, in the county of Simcoe, in the province of Ontario, John Millen and George Grenville Barnum, of the city of Duluth, in the state of Minnesota, Frederick Kraus, of the city of Milwaukee, in the state of Wisconsin, George Frank Piper, of the city of Minneapolis, in the state of Minnesota, John Geddes Keith, of the city of Chicago, in the state of Illinois, George Henry Breyman, of the city of Toledo, in the state of Ohio, Percy S. Anneke, of the city of Duluth, in the state of Minnesota, and James D. McGregor, of New Glasgow, in the province of Nova Scotia, together with such persons as become shareholders in the company, are incorporated under the name of "The Canada National Railway and Transport Company," hereinafter called "the Company." Incorporation. Corporate name.

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

5. The head office of the Company shall be at the city of Toronto, in the county of York. Head office.

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

Election of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in or near the city of Toronto, in the county of York, in the province of Ontario, to a point in or near the town of Collingwood, in the county of Simcoe, in the said province, or other port on the Georgian Bay, running through the townships of York, Vaughan and King, in the county of York, and the townships of West Gwillimbury, Tecumseth, Essa, Tosorontio, Sunnidale and Nottawasaga, in the county of Simcoe, and passing in or near the town of Toronto Junction and the villages of Lansing, Willowdale, Newtonbrook, Thornhill, Carrville, Kinghorn, Laskay, Pottageville and Schomberg, in the county of York, and Pennville, Beeton, Nicolston, Thompsonville, Elm Grove, Stayner and Nottawa, in the county of Simcoe.

Powers of Company.

9. The Company may,—

Wharfs, tramways, etc.

(*a*) construct, acquire, lease and dispose of piers, wharfs, docks, storehouses, elevators and tramways in connection with its railway, and may charge tolls or rates for the use of the said wharfs, elevators and storehouses;

Telegraph and telephone lines.

(*b*) construct and operate telegraph and telephone lines along the route of the railway to be used only in connection with its railway, wharfs and docks;

Vessels.

Carriers.

(*c*) construct, acquire, charter and dispose of steam and other vessels, and operate and use the same in connection with its railway for the purpose of carrying freight and passengers to ports on the navigable waters of Canada and the United States, and charge tolls or rates for passengers or freight carried on board such vessels.

Bond issue.

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

Aid to Company.

11. The Company may receive, in aid of the construction of its railway and steam and other vessels or any of its wharfs, docks, elevators, telegraph or telephone lines, from any government, person or municipal corporation having power to grant the same, any lands, grants of money or debentures or other benefit of any kind, and may develop and improve such lands.

Issue of paid up stock.

12. The directors elected by the shareholders may make and issue as paid up stock shares in the Company whether subscribed for or not, and may allot and hand over such stock in payment for right of way, plant, rolling stock, docks, elevators, wharfs, telegraph and telephone lines, vessels or material of any kind and also for the services of contractors and engi-

neers, and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls.

Borrowing powers.

13. The directors, under the authority of a resolution of the shareholders passed at the first general meeting of the shareholders or at any special meeting called for that purpose, or at any annual meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, may, from time to time, at their discretion, borrow money for the purposes of the Company, and may issue bonds or debentures to the extent of two-thirds of the cost of the vessels and other works of the Company, and may secure the repayment of the said bonds or debentures in such manner and upon such terms and conditions as they see fit, and for this purpose may mortgage, pledge, hypothecate, or charge any of the assets and property of the Company other than the railway.

No. 13.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

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

First reading, February 22, 1901.

(PRIVATE BILL.)

MR. COWAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 14.] **BILL.** [1901.

An Act to incorporate the Century Life Insurance Company.

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

1. H. McDowell, F. Miller, J. A. Mills, Robert E. McKechnie, Simon J. Tunstall, William Downie, Howard C. Walters, R. Marpole, A. Williams, Frank Burnett, I. Oppenheimer, J. H. Turner, Thomas Earle, J. D. Prentice, Geo. McL. Brown, John Hendry, C. A. Lett, J. A. Cunningham, Frank Fletcher, H. W. Treat, H. C. H. Cannon and Edward Gawlor Prior, together with such persons as become shareholders in the company, are incorporated under the name of "The Century Life Insurance Company," hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be five hundred thousand dollars, divided into fifty thousand shares of ten dollars each. Capital stock.

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

Qualification.

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

Calls.

5. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of any call shall be given; provided that the Company shall not commence the business of insurance until sixty-two thousand five hundred dollars of the capital stock have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act; provided further that the amount so paid in by any shareholder shall not be less than twenty-five per cent of the amount subscribed by such shareholder.

When business may be commenced.

Increase of capital.

6. The directors may, after the whole capital stock has been subscribed and the whole has been paid thereon in cash, increase the amount of the capital stock, from time to time, to an amount not exceeding one million dollars, but the stock shall not be increased until a resolution of the board of directors authorizing such increase has been first submitted to and confirmed by a majority of the shareholders representing at least two-thirds in value of the subscribed stock of the Company present at a special meeting of the shareholders duly called for the purpose of considering such by-law.

Head office.

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

Branches.

2. The directors may, from time to time, establish branches, sub-boards or agencies, either in Canada or elsewhere, in such manner as the directors from time to time appoint.

Annual general meeting.

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

Business.

9. The Company may effect contracts of life insurance with any person, and may grant, sell or purchase annuities, grant endowments, and generally carry on the business of life insurance in all its branches and forms.

Real property.

10. The Company may acquire, and dispose of, any real property required in part or wholly for the use and accommodation of the Company; but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of British Columbia, where it shall not exceed ten thousand dollars.

Distribution of profits.

11. The directors may, from time time to time, set apart such portion of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and

holders of participating policies, ascertaining the part thereof which has been derived from p rticipating policies, and distinguishing such part from the profits derived from other sources; and the holders of participating policies shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies, to the extent of not less than ninety per cent thereof; but no dividend or bonus shall at any time be declared or paid out of estimated profits, and the portion of such profits which remains undivided upon the declaration of a dividend shall never be less than one-fifth of the dividend declared.

Paid up policies issued in certain cases.

12. Whenever any holder of a policy other than a term or natural premium policy has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid-up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum in either case as the directors fix as the surrender value of the policy, such sum to be ascertained upon principles to be adopted by by-law applicable generally to all such cases as may occur; provided he demands such paid up and commuted policy or such cash payment while the original policy is in force, or within twelve months after his failure to pay a premium thereon.

Rights of participating policy holders.

13. The Company may agree to give to holders of participating policies the right to attend and vote in person or by proxy at all general meetings of the Company; and, if the Company so determines, all persons who are actual holders of policies from the Company where such policy has been at least two years in force and whereon all premiums have been paid, whether such persons are shareholders of the Company or not, and who are, by the terms of their policies, entitled to participate in profits and are referred to in this Act as holders of participating policies, shall be members of the Company and be entitled to attend and vote in person or by proxy at all general meetings of the Company (except at meetings called for the purpose of increasing the capital stock of the Company, and shall not be entitled to vote by way of confirmation of any by-law for the increase, issue, allotment or sale of capital stock of the Company); and every holder of a participating policy of the Company for a sum not less than three thousand dollars shall be entitled to one vote for each three thousand dollars in his policy.

Husband and father.

2. In that event a husband or father holding a participating policy of three thousand dollars or over on his life for the benefit of his wife or children shall be deemed a member of the Company.

Representation of policy-holders on board.

3. The Company may grant policy-holders special representation on the board in such proportion to the stockholders as shall be provided in the Company's by-laws, and any policy-holder who holds insurance in this Company for ten thousand dollars or over and whose policy has been at least two years in force and upon which no premiums are due shall be eligible for election as such special representative.

Separate accounts for sections.

14. The Company may maintain separate accounts of the business transacted by it in the "industrial," "general," "abstainers" and the "womens" sections, keeping the receipts and expenditures distinct, each section sharing its own profits and each section paying its own proper portion of expenses; and the Company may establish a section on the principal of non-participation in profits, which shall be known as the "non-participating section."

R.S.C., c. 118.

15. Notwithstanding anything contained therein *The Companies Clauses Act*, except sections 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions of *The Insurance Act* or of this Act.

R.S.C., c. 124.

No. 14.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Century Life Insurance Company.

First reading, February 22, 1901.

(PRIVATE BILL.)

MR. MONK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 15.] **BILL.** [1901.

An Act to amend the Dominion Elections Act, 1900.

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

1. Section 112 of *The Dominion Elections Act*, 1900, is amended by adding after the word "loss," in the fifth line thereof, the following words: "or makes use of any language to the effect that the ballot to be used or the mode of voting at the election is not secret." 1900, c. 12, s 112 amended

No 15.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Dominion Elections Act, 1900.

First reading, February 25, 1901.

MR. CLANCY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 16.] **BILL.** [1901.

An Act respecting Drainage.

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

Provincial drainage laws to apply to railways.

1. When proceedings for the drainage of lands have been taken by any landowner under the provisions of an Act of the legislature of any province in that behalf, such Act shall apply to every company and railway to which *The Railway Act* of Canada applies, in the same manner and to the same extent as such provincial Act applies to individuals and their properties.

1888, c. 29, s. 14A repealed.

2. Section 14A, added to *The Railway Act* by section 2 of chapter 23 of the statutes of 1900, is repealed.

No. 16.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting Drainage.

First reading, February 25, 1901.

Mr. Robinson,
(West Elgin).

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 17. **BILL.** [1901.

An Act respecting the Land Grant of the Canadian Pacific Railway Company.

WHEREAS clause 16 of the contract between Her Majesty and the Canadian Pacific Railway Company, ratified by the Parliament of Canada on the fifteenth day of February, one thousand eight hundred and eighty-one, and set out in the schedule to chapter 1 of the statutes of one thousand eight hundred and eighty-one, provides as follows:—"The Canadian Pacific Railway, and all stations and station grounds, workshops, buildings, yards and other property, rolling stock and appurtenances required and used for the construction and working thereof, and the capital stock of the Company, shall be forever free from taxation by the Dominion, or by any Province hereafter established, or by any municipal corporation therein; and the lands of the Company, in the North-west Territories, until they are either sold or occupied, shall also be free from such taxation for twenty years after the grant thereof from the Crown;" Preamble. 1881, c. 1.

And whereas, in answer to an interpellation in Parliament on the twelfth day of February, one thousand nine hundred, as to the date of termination of the said period of exemption from taxation, it was stated on behalf of the Government that: "This is a matter of legal opinion, which, if disputed, can only be settled by a judicial decision;"

And whereas it appears, from the debates which occurred when the said contract was before Parliament, that the exemption was intended to cover a period of not more than twenty years from the date of the said contract;

And whereas progress in the North-west is enormously handicapped by the exemption from taxation of so vast a quantity of land, and would be seriously paralyzed should the tax exemption be indefinitely continued, and it is consequently desirable that any doubts which may exist with regard to the date of the termination of that exemption, as indicated by the reply of the Government quoted above, should be removed: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

1. Clause 16 of the contract mentioned in the preamble, between Her Majesty and the Canadian Pacific Railway Company, is hereby interpreted to mean that the period of exemption from taxation of the said land grant terminated twenty years after the date of the ratification of the said contract. Interpretation of contract.

No. 17.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Land Grant of the Canadian Pacific Railway Company.

First reading, February 25, 1901.

MR. RICHARDSON.
(Lisgar.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 18.] **BILL.** [1901.

An Act to amend the Dominion Controverted 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 56 of *The Dominion Controverted Elections Act* is amended by adding the following subsection thereto :— R.S.C., c. 9, s. 56 amended.

"9 An application under this section shall be supported by an affidavit or deposition of the petitioner, of the respondent, of the election agent of each of the candidates at the election to which the petition relates, and of the solicitors, if any, of the petitioner and respondent respectively. The affidavits or depositions of the petitioner and of his solicitors shall state the special grounds on which the application to withdraw is made; and the deponents in each of the affidavits required by this subsection shall also state that the proposal to withdraw the said petition is not, on his own part, or, so far as he knows and believes, on the part of any other person, the result of any corrupt arrangement or in consideration of the withdrawal of any other petition." Petition to be supported by affidavits.

2. The said Act is further amended by inserting after section 56 the following sections :— Sections added.

"**56A.** When corrupt practices are charged by the petition and the petition is dismissed at the trial without any evidence having been offered by the petitioner, in case an application is then or afterwards made for an order to withdraw the sum deposited as security under section 9 of this Act, no such application shall be granted unless supported by the affidavits or depositions of the petitioner and respondent and of their respective election agents and solicitors, if any, stating that the omission to give evidence in support of the petition was not the result of any corrupt arrangement, either in his own behalf or, so far as he knows and believes, in behalf of any other person, to allow the petition to be dismissed for default of evidence or in consideration of other petitions being dismissed in like manner. As to withdrawal of deposit, if petition is dismissed without evidence being offered.

"**56B.** In case an application under the next preceding section is dismissed on the ground that the judge is of opinion that there was such corrupt arrangement or consideration as therein mentioned, the sum deposited as security, less any costs ordered to be paid thereout under section 9, shall be forfeited to the Crown for the public uses of Canada. Forfeiture of deposit in case of corrupt arrangement.

Forfeiture of deposit, in case of withdrawal of petition being refused.

"**56**c. In case an application to withdraw the petition is dismissed for a similar reason, and in case no other person is substituted as petitioner and the security given on behalf of the original petitioner is not ordered to remain as security as provided by subsection 4 of section 56, the amount of the sum deposited as security, less any costs ordered to be paid thereout under section 9, and so much thereof as is not ordered to be paid in proceedings carried on by any substituted petitioner, shall be forfeited to the Crown for the public uses of Canada.

No. 18.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Dominion Controverted Elections Act.

First reading, February 25, 1901.

Mr. Richardson,
Lisgar.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 19.] **BILL.** [1901.

An Act respecting the Eastern Canada Savings and Loan Company (Limited).

Preamble.

WHEREAS the Eastern Canada Savings and Loan Company (Limited) 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:—

1887, c. 113 amended.

1. Section 5 of chapter 113 of the statutes of 1887 is amended by adding thereto the following subsection:—

Loans on bonds, stocks, etc.

"2. The Company may also, on the terms and conditions mentioned, lend money on the security of, or purchase or invest in, debentures, bonds, stocks and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the Legislature of any former, present or future province of Canada; provided that the Company shall not lend upon the security of, or purchase or invest in, bills of exchange or promissory notes; and provided further that the Company shall not invest in, or lend money upon, the security of the stock of any other loan company. The Company shall have the same powers to deal with the loans, purchases and investments mentioned as it has to deal with other loans, purchases and investments made by the Company.

Proviso.

Section 8 amended.

2. The section substituted by section 1 of chapter 83 of the statutes of 1893, for section 8 of chapter 113 of the statutes of 1887 is repealed, and the following is substituted therefor:—

Borrowing powers.

"**8.** The Company may borrow money and receive money on deposit upon such terms as to interest, security and otherwise as may be agreed on, and may issue its bonds, debentures and other securities for moneys borrowed; 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 up on its capital stock; and provided further that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital and of its cash actually in hand, or deposited in any chartered bank in Canada, and belonging to the Company. All debentures heretofore lawfully issued by the Company shall rank equally with the debentures hereafter to be issued by the Company and shall form part of the general debenture debt of the Company."

Proviso.

Debentures, how to rank.

Section 11 amended.

Debenture stock.

3. Section 11 of chapter 113 of the statutes of 1887 is repealed, and the following is substitued therefor:—

"**11.** The directors may also issue debenture stock which shall be treated and considered as part of the regular debenture debt of the Company, in such amounts and manner, on such terms and bearing such rate of interest as the directors from time to time think proper and convenient, but subject to the limitation hereinbefore provided, so that the amount received as money deposits and borrowed on the security of debentures or debenture stock, or otherwise, shall not on the whole exceed the aggregate amounts fixed by section 8 of this Act as the authorized limit of the borrowing powers of the Company. All debenture stock heretofore lawfully issued by the directors of the Company shall rank equally with the debenture stock hereafter to be issued by the directors and shall form part of the general debenture debt of the Company."

How to rank.

Section 20 amended.

4. Section 20 of chapter 113 of the statutes of 1887 is repealed and the following is substituted therefor:—

Powers as to real estate.

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

Proviso.

Notice of forfeiture.

No. 19.

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

BILL

An Act respecting the Eastern Savings and Loan Company (Lim

First reading, February 26, 19

(PRIVATE BILL.)

MR. BORDEN (Hal

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Ma
1901

No. 20.] **BILL.** [1901.

An Act respecting the Nakusp and Slocan Railway Company.

Preamble.

WHEREAS the Nakusp and Slocan 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:—

1893, c. 56; 1898, c. 80.

Time for construction extended.

1. The Nakusp and Slocan Railway Company, hereinafter called "the Company," may construct and complete its railways and works within five years from the passing of this Act; provided that as to so much thereof as is not constructed within that period, the powers of the Company shall cease and determine.

Head office.

1893, c. 56, s. 2 amended.

2. From and after the passing of this Act the head office of the Company shall be in the city of Montreal, but the directors of the Company may, from time to time, by by-law, change it to any other place in Canada.

No. 20.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Nakusp and Slocan Railway Company.

First reading, February 26, 1901.

(PRIVATE BILL.)

Mr. Prior.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 21.] **BILL.** [1901.

An Act respecting the British Columbia Southern Railway Company.

Preamble.

WHEREAS the British Columbia Southern 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:—

1897, c. 36; 1898, c. 56; 1899, c. 55; 1900, c. 52.

Power to construct and acquire branch lines.

1. The British Columbia Southern Railway Company, hereinafter called "the Company," may construct or acquire and may operate such branch lines from any railway which it is at any time authorized to construct, not exceeding in any one case thirty miles in length, as are from time to time authorized by the Governor in Council.

Time extended.

2. The Company may construct and complete the railways mentioned in section 1 of this Act, and the railway between a point on its line of railway in the neighbourhood of Fort Steele and a point at or near Golden, on the Canadian Pacific Railway, mentioned in section 2 of chapter 55 of the statutes of 1899, within five years after the passing of this Act, otherwise the powers granted for their construction shall cease as to so much thereof as then remains uncompleted.

1899, c. 55, s. 2.

Power to acquire land.

3. The Company may acquire, take, hold or dispose of any land or interest in land which it does not require for railway purposes.

No. 21.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the British Columbia Southern Railway Company.

First reading, February 26, 1901.

(PRIVATE BILL.)

MR. PRIOR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 22.] **BILL.** [1901.

An Act respecting the Columbia and Western Railway Company.

Preamble.

WHEREAS the Columbia and Western Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1898, c. 61; 1899, c. 63.

Bond issue.

1. The Columbia and Western Railway Company, hereinafter called "the Company," for the purpose of aiding in the construction and equipment of that portion of its railway west of Midway, or any part thereof, or of any branches therefrom, may issue bonds in respect thereof to an amount not exceeding thirty-five thousand dollars per mile of railway constructed or under contract to be constructed.

On what property bonds to be chargeable.

2. The said bonds shall be a first preferential claim and charge on the said portion of the Company's railway and on the said branches and their appurtenances, and the Company's franchises in respect thereof, as well as on all tolls, income, rents and revenues derived therefrom, but not on any lands of the Company not taken or used for railway purposes in connection with the said portions of its railway, or the said branches, or some part thereof.

Branch lines.

3. The Company may construct or acquire and may operate such branch lines from any railway which it is at any time authorized to construct, not exceeding, in any one case, thirty miles in length, as are from time to time authorized by the Governor in Council.

Time for construction extended.

4. The Company may construct and complete the railways which it has been authorized to construct, within five years from the passing of this Act, provided that as to so much thereof as is not constructed within that period the powers of the Company shall cease and determine.

No. 22.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Columbia and Western Railway Company.

First reading, February 26, 1901.

(PRIVATE BILL.)

MR. MORRISON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 23.] **BILL.** [1901.

An Act respecting the Guelph Junction Railway Company.

Preamble.

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

Time for construction extended.

1887, c. 59. 1891, c. 73; 1894, c. 75; 1896, c. 19.

1. The Guelph Junction Railway Company may, within five years from the passing of this Act, construct and complete the extension of its line of railway from its present terminus in the city of Guelph to a point on Lake Huron at or near the town of Goderich, or to such convenient point on any railway constructed or to be constructed to the said town as shall enable convenient access to be obtained thereto (as authorized by chapter 59 of the statutes of 1887), provided that the powers hereby granted shall cease and be null and void as respects so much of the said extension as shall not be completed within that period.

No. 23.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Guelph Junction Railway Company.

First reading February 26, 1901.

(PRIVATE BILL.)

Mr. Guthrie.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 24.] **BILL.** [1901.

An Act respecting the South Ontario Pacific Railway Company.

Preamble.

WHEREAS the South Ontario 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:—

1887, c. 85; 1889, c. 70; 1891, c. 92; 1896, c. 35.

Time for construction extended.

1. The South Ontario Pacific Railway Company may construct and complete its railway within five years and its bridge within seven years from the passing of this Act; provided that the powers hereby granted shall cease and be null and void as respects so much thereof as is not completed within that period.

No. 24.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the South Ontario Pacific Railway Company.

First reading, February 26, 1901.

(PRIVATE BILL.)

MR. GUTHRIE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 25.] **BILL.** [1901.

An Act to incorporate the Ottawa and Hull Power and Manufacturing Company (Limited).

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. William Cameron Edwards and John Allen Cameron, both of Rockland, Ontario, John Cameron Edwards, Russell Gordon Cameron Edwards, Hiram Robinson, Henry Kelly Egan, Robert Lennox Blackburn and Russell Blackburn, all of the city of Ottawa, together with such persons as become shareholders in the company, are incorporated under the name of "The Ottawa and Hull Power and Manufacturing Company (Limited)," 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, and shall hold office as such until replaced by others duly appointed in their stead, and shall have all the powers which are conferred upon the directors by this Act or by *The Companies Clauses Act*; and until otherwise ordered by by-law or resolution of the provisional directors any three of them may call meetings of the provisional directors, which shall be held at the city of Hull at such times as they determine, and the notice of such meeting shall be signed by the provisional directors calling the same. Provisional directors. Powers.

2. All notices calling meetings of the provisional directors, directors or shareholders shall state the date and place of holding such meetings, and shall be mailed by registered letter to the address of each of the other provisional directors, directors or shareholders, as the case may be, not less than ten days previous to the date of such meeting, and the mailing of such letter shall be sufficient notice of such meeting. Notice of meeting.

3. The directors and provisional directors of the Company may act notwithstanding any vacancy in their number; provided that if the number falls below five they shall not, except for the purpose of filling vacancies, have power to act so long as the number is below the said minimum. Vacancies.

4. A majority of the provisional directors shall be a quorum. Quorum.

3. The capital stock of the Company shall be one million dollars, divided into shares of one hundred dollars each; provided, however, that when all of the capital stock has been allotted or issued the capital stock may be increased, from time Capital stock. Increase of capital.

to time, to an amount not exceeding five million dollars, by resolution of the shareholders approved of by the votes of the holders of at least two-thirds of the issued stock of the Company present or represented by proxy at a special general meeting of the shareholders, duly called for the purpose of considering such resolution, and such increased capital stock shall be issued, and may be held, subject to the same conditions, and dealt with in the same manner, as the original capital stock of the Company.

Head office.

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

First general meeting.

5. At any time after the passing of this Act the provisional directors or any three of them may call a general meeting of the shareholders of the Company, to be held at any place in the city of Hull at such time as they determine, for the purpose of passing or ratifying the by-laws of the Company, of electing directors and of considering and determining upon any other business specified in the notice calling such meeting.

Powers of Company.

6. The Company may—

Lumber, etc.

(*a.*) carry on, throughout Canada and elsewhere, the business of lumberers, timber merchants and manufacturers of timber and lumber in all its branches, and all other business incident thereto or connected therewith, including the manufacture of furniture, doors, sashes, blinds and other articles of which wood shall form a component part;

Pulp and paper.

(*b.*) carry on, throughout Canada and elsewhere, the business, in all its branches, of manufacturing pulp wood, pulp, paper and all other business incident thereto; and also the business

Bricks, etc.

of manufacturing and burning of bricks, tiles, drain pipes, terra cotta and other materials from clay; and also the business of

Merchants.

general merchants; and also the business of general manufac-

Carriers.

turers, millers, common carriers, wharfingers, warehousemen,

Vessels.

and may construct, charter, acquire and navigate steam and other vessels between any port and place in Canada and any other port or place in Canada or elsewhere;

Mills.

(*c.*) erect, acquire and operate saw mills and factories of all kinds, grist mills, flour mills, woollen mills, cotton mills and paper mills; and buy, deal in and dispose of the products of the said mills and factories in any form, and acquire materials of all kinds necessary for the manufacture of such products;

Stock farming.

(*d.*) carry on the business of farming and stock raising;

Mining.

(*e.*) acquire and operate mines and mineral and mining rights, smelt, reduce, refine, amalgamate or otherwise manufacture and treat metals, minerals and ores, and dispose thereof, and generally carry on the business of manufacturing therefrom;

Steel plant.

(*f.*) erect and operate blast furnaces, Bessemer and open hearth steel plants, rolling mills, foundries, bridge construction and machine shops; and carry on the business of engineers and contractors for the manufacture of iron and steel railway and highway bridges, ships, cars, buildings and other structures and for the manufacture and sale of all classes of iron and steel products;

Chemical works.

(*g.*) manufacture calcium carbide and other chemicals and erect such factories and works as are necessary for such purposes;

(*h.*) produce, manufacture, supply and dispose of gas and electricity for the purposes of light, heat and motive power and any other purposes for which the same may be used, and construct, maintain and operate works, poles and all other appliances necessary or useful for the production, sale and distribution of electricity and pneumatic power for the purposes of light, heat and power, and conduct, store, sell and supply electricity and pneumatic power, and with such pneumatic, electric or other conductors or devices, conduct, convey, furnish or receive such electricity or power to or from any person or corporation at any places in Canada ; Light and power.

(*i.*) lease or acquire timber berths, timber licenses, water powers, hydraulic properties, buildings, docks, wharfs, carts, vehicles, goods, wares, merchandise and other property, real or personal, that may be deemed necessary or useful in connection with any of the works or operations which the Company is authorized to carry on. General powers.

7. The Company may construct or aid and subscribe towards the construction, acquisition and maintenance of roads, tramways, docks, piers, wharfs, viaducts, aqueducts, flumes, bridges, ditches, and similar works ; and construct, charter or employ vessels, roads and tramways for the purposes aforesaid and for transporting the products of the said mills, factories, mines and works to any place in Canada and elsewhere, and for bringing and conveying to the properties of the Company all materials required thereat ; and the Company may also construct, operate and dispose of telegraph and telephone lines ; and the Company may acquire any business within any of the objects of the Company, and lands, properties, privileges, rights, contracts, limits and liabilities appertaining to the same ; and may let or sub-let any property of the Company and sell or otherwise dispose of any business, property or undertaking of the Company. Aid to works. Transportation. Telegraph and telephone lines. Acquiring other businesses.

8. The Company may license, lease or, acquire patent rights, letters patent of invention, processes, options and franchises to facilitate the carrying out of any of the objects of the Company and dispose thereof. Patent rights.

9. The Company may, for the purpose of any of its undertakings, or for the promotion thereof, construct and operate all such railway sidings, tramways, switches or spur lines, not exceeding ten miles in length, as may be necessary to connect any property of the Company with its factories and mills or with the line of any railway company incorporated by, or under the control of Parliament. Railway sidings.

10. The Company may acquire and hold shares in any corporation or company however incorporated, and in all banks and banking institutions and in all financial corporations, and may dispose thereof. Shares in banks.

11. The Company may acquire the properties, rights, water powers and privileges acquired by the Hawkesbury Lumber Company and W. C. Edwards and Co., Limited, from the Hull Lumber Company, Limited, which are situate in the Power to acquire certain property.

city of Hull, and may pay the price thereof wholly or partly in cash or wholly or partly in fully paid up or partly paid up shares of the capital stock of the Company, or wholly or partly in debentures of the Company, or otherwise, and as a condition of such purchase or acquisition may also undertake to pay and guarantee and assume the balance of the purchase price of the said properties due to the said the Hull Lumber Company, Limited.

Issue of paid up stock.

12. The directors may issue as paid up stock shares of the capital stock of the Company in payment for all or any of the businesses, franchises, undertakings, rights, powers, privileges, letters patent, inventions, real estate, stocks, assets and other properties which the Company may lawfully acquire by this Act or by law, as well as for any services that the Company may require, and may, for such considerations, allot and hand over such shares to any person or corporation, including its shareholders or its directors; and any such issue or allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls nor shall the holder thereof be liable in any way thereon; or the Company may pay for the same wholly or partly in paid up shares or wholly or partly in debentures, as may be agreed upon; provided that any allotment and issue of stock under authority of this section shall be approved by the holders of at least two-thirds in value of the stock of the Company, previously issued and held at the date of such issue or allotment.

Liability of shareholders on shares.

13. Shares of the Company not issued for some one of the considerations mentioned in the preceding section or in section 11 hereof shall be deemed to have been issued and to be held subject to the payment of the whole amount thereof in cash, unless the same shall have been issued in conformity with a by-law adopted or approved of by the shareholders of the Company, in which case they may be issued for such amount below par as the said by-law shall determine.

Issue of bonds and debentures.

14. The directors may, when authorized by a by-law for that purpose, approved of by the votes of holders of at least two-thirds in value of the issued stock of the Company, present or represented by proxy at a special general meeting called for considering such by-law, borrow, from time to time, such sums of money, not exceeding the amount of the capital stock issued at the date of any such by-law as paid up or unassessable capital stock of the Company, as the shareholders deem necessary, and may, if thought advisable, issue bonds and debentures therefor, in sums of not less than one hundred dollars each, at such rate of interest and payable at such time and place and secured in such manner by a mortgage or otherwise, upon the whole or any portion of the property and undertakings of the Company, as may be prescribed by such by-law or decided upon by the directors under the authority thereof, and the Company may make such provisions respecting the redemption of such securities as may be deemed proper; and the directors, upon such authorization, may, without issuing debentures, secure the repayment of such loans by mortgage, hypothec or

pledge upon such properties or assets of the Company as shall be indicated by the directors.

General power to borrow.

2. In addition to the amounts which the Company, from time to time, may borrow, secured or unsecured as aforesaid, the Company may borrow on current account or on promissory notes or other negotiable instruments, such further sums as the directors may decide are required for the operations of the Company or for the acquisition of its properties or assets.

Aid to Company.

15. The Company may receive, either by grant from any government or from any corporation or person, as aid in the construction of any of the works or operations authorized by this Act, or for carrying on the same, lands, properties, franchises, sums of money or debentures as gifts or by way of bonus or otherwise, and may dispose thereof and may alienate the same in promoting any of the affairs, businesses and operations of the Company, and the Company may receive exemptions from taxation and all other exemptions that may be granted by municipal or other authorities by by-law, resolution or otherwise.

1888, c. 29.

16. Sub-section 2, of section 90 of *The Railway Act* shall apply to the Company.

R.S.C., c. 118.

17. Sections 18 and 41 of *The Companies Clauses Act* shall not apply to the Company.

No. 25.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Ottawa and Hull Power and Manufacturing Company (Limited).

Frst reading, February 26, 1901.

(PRIVATE BILL.)

MR. CHAMPAGNE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 26.] **BILL.** [1901.

An Act respecting the Canadian Pacific Railway Company.

Preamble.

WHEREAS the Canadian 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:—

Line of railway authorized.

1. The Canadian Pacific Railway Company, hereinafter called "the Company," may construct or acquire and may operate a railway from Stonewall or Teulon, in Manitoba, or from a point on the Company's line between those places; thence in a direction generally north-west to a point on the east shore of Lake Manitoba, between Marsh Point and the north boundary of township twenty-five.

Time for construction limited.

2. The said railway shall be commenced within three years and completed within five years from the passing of this Act, otherwise the powers hereby granted for its construction shall cease as to so much thereof as is not completed within that period.

Bond issue.

3. The Company may issue bonds which shall be a first lien and charge and be secured exclusively upon the railway to be constructed under this Act in the same way and with the same effect as if the same were a branch railway within the meaning of section 1 of chapter 51 of the statutes of 1888, and the said section shall apply accordingly; or, in lieu of such bonds, the Company may issue consolidated debenture stock the holders of which shall have equal rights in all respects and rank *pari passu* with holders of such consolidated debenture stock as the Company has been, before the passing of this Act, authorized to issue; provided that the capital of such bonds or consolidated debenture stock shall not exceed the rate of twenty-five thousand dollars per mile of such branches respectively.

1888, c. 51.

Debenture stock.

Proviso.

No. 26.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Canadian Pacific Railway Company.

First reading, February 26, 1901.

(PRIVATE BILL.)

MR. FORTIN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 28] **BILL.** [1901.

An Act to regulate Freight and Passenger Rates on Railways.

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

"Meaning of "railway."

1. In this Act, unless the context otherwise requires,—

(*a.*) The expression "railway" includes all bridges and ferries used or operated in connection with a railway, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement or lease;

Transportation."

(*b.*) The expression "transportation" includes all instrumentalities of shipment or carriage;

"Carrier."

(*c.*) The expression "carrier" means and includes every common carrier to which this Act applies.

Application of Act.

2. This Act shall apply to common carriers engaged in the transportation of passengers or property wholly by railway or partly by railway and partly by water when both are used, under a common control, management or arrangement, for a continuous carriage or shipment, from one province of Canada to another province of Canada, or from any place in Canada to an adjacent foreign country, or from any place in Canada through a foreign country to any other place in Canada, and also to the transportation in like manner of property shipped from any place in Canada to a foreign country and carried from such place to a port of transhipment, or shipped from a foreign country to any place in Canada and carried to such place from a port of entry either in Canada or in an adjacent foreign country; Provided, however, that this Act shall not apply to the transportation of passengers or property, or to the receiving, delivering, storage or handling of property wholly within one province and not shipped to or from a foreign country from or to any province as aforesaid.

Charges to be reasonable.

3. All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage or handling of such property shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited.

No special rate to be made.

4. If any carrier directly or indirectly, by any special rate, rebate, drawback or other device, charges, demands, collects or receives from any person a greater or less compensation for

any service rendered, or to be rendered, in the transportation of passengers or property subject to the provisions of this Act, than such carrier charges, demands, collects or receives from any other person for doing him a like and contemporaneous service in the transportation of a similar kind of traffic under substantially similar circumstances and conditions, such carrier shall be deemed guilty of unjust discrimination, which is hereby prohibited.

No undue preference.

5. No carrier shall make or receive any undue or unreasonable preference or advantage to any person, or locality, or any particular description of traffic, or shall subject any person, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage.

Or discrimination.

6. All carriers shall afford all reasonable and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding and delivering of passengers and property to and from their several lines and those connecting therewith, and shall not discriminate in their rates and charges between such connecting lines; but this shall not be construed as requiring any carrier to give the use of its tracks or terminal facilities to another carrier engaged in the same business.

Rates to be equalized.

7. No carrier shall charge or receive for the transportation of passengers or of the same kind of property under substantially similar circumstances and conditions any greater compensation in the aggregate for a shorter than for a longer distance over the same line, in the same direction, the shorter being included with the longer distance; but this shall not be construed as authorizing a carrier to charge and receive as great compensation for a shorter as for a longer distance; Provided, however, that upon application to the commission appointed under the provisions of this Act, such carrier may, in special cases, after investigation by the commission, be authorized to charge less for longer than for shorter distances for the transportation of passengers or property; and the commission may, from time to time, prescribe the extent to which such carrier may be relieved from the operation of this section.

Combinations.

8. No carrier shall enter into any contract, agreement or combination with any other carrier for the pooling of freights of different and competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads, or any portion thereof; and in case of any such agreement, each day of its continuance shall be deemed a separate offence.

Schedule of rates.

9. Every carrier shall print, and keep open to public inspection, schedules showing the rates, fares and charges for the transportation of passengers and property which it has established and which are in force at the time upon its route.

2. Such schedules shall plainly show the places upon its railroad between which property and passengers will be carried, and shall contain the classification of freight in force, and shall also show separately the terminal charges and any rules

and regulations which in any wise change, affect or determine any part or the aggregate of such rates, fares and charges.

3. Such schedules shall be plainly printed in large type, and copies for the use of the public shall be posted in two public and conspicuous places, in every depot, station or office of such carrier where freight or passengers, are received for transportation, in such form that they shall be accessible to the public and can be conveniently inspected.

4. Any carrier receiving freight in Canada to be carried through a foreign country to any place in Canada shall also in like manner print and keep open to the public inspection, at every depot or office where such freight is received for shipment schedules showing the through rates established and charged by such carrier to all points in Canada beyond the foreign country to which it accepts freight for shipment; and any freight shipped from Canada through a foreign country into Canada, the through rate on which has not been made public as required by this Act, shall, before it is admitted into Canada from such foreign country, be subject to customs duties as if it were of foreign production.

5. No advance shall be made in the rates, fares and charges so established and published, except after ten days' public notice, which shall plainly state the changes proposed to be made in the schedule then in force, and the time when the increased rates, fares or charges will go into effect; and the proposed changes shall be shown by printing new schedules, or shall be plainly indicated upon the schedules in force at the time and kept open to public inspection. Reductions in such published rates, fares or charges shall only be made after three days' previous public notice, to be given in the same manner as notice of an advance in rates.

6. When any carrier has so established and published its rates, fares and charges it shall be unlawful for it to charge, demand, collect or receive from any person a greater or less compensation for the transportation of passengers or property, or for any services in connection therewith, than is specified in such published schedule of rates, fares and charges.

7. Every carrier shall file with the commission hereinafter provided for copies of its schedules of rates, fares and charges which have been so established and published, and shall promptly notify such commission of all changes made therein. Every carrier shall also file with the said commission copies of all contracts, agreements or arrangements with other carriers, in relation to any traffic affected by the provisions of this Act, to which it is a party. In cases where passengers and freight pass over continuous lines or routes, operated by more than one carrier, and the several carriers operating such lines or routes established joint tariffs or rates or fares or charges for such continuous lines or routes, copies of such joint tariffs shall also in like manner be filed with the said commission. Such joint rates, fares and charges on such continuous lines so filed shall be made public by such carriers when directed by the said commission, in so far as the commission deems practicable; and the commission shall, from time to time, prescribe the measure of publicity which shall be given to such rates, fares

and charges, or to such part of them as it deems it practicable for such common carriers to publish, and the places in which they shall be published.

8. No advance shall be made in joint rates, fares and charges, shown upon joint tariffs, except after ten days' notice to the commission, which shall plainly state the changes proposed to be made to the schedule then in force, and the time when the increased rates, fares or charges will go into effect. No reduction shall be made in joint rates, fares and charges, except after three days' notice to be given to the commission as is above provided in the case of an advance of joint rates. The commission may make public such proposed advances, or such reductions, in such manner as it deems practicable, and may prescribe from time to time the measure of publicity which carriers shall give to advances or reductions in joint tariffs.

9. No carrier, party to any joint tariff, shall charge, demand, collect or receive from any person a greater or less compensation for the transportation of persons or property, or for any services in connection therewith, between any points as to which a joint rate, fare or charge is named thereon, than is specified in the schedule filed with the commission and in force at the time.

10. The commission may determine and prescribe the form in which the schedules required by this section to be kept open to public inspection shall be prepared and arranged and may change the form when found expedient.

11. If any carrier neglects or refuses to file or publish its schedules or tariffs of rates, fares and charges or any part thereof, as provided in this section, such carrier shall, in addition to other penalties herein prescribed, be subject to a writ of mandamus, to be issued by any court of competent jurisdiction in the judicial district wherein the principal office of the carrier is situated, or wherein such offence is committed, and if such carrier is a foreign corporation, then in the judicial circuit wherein such carrier accepts traffic and has an agent to perform such service, to compel compliance with the aforesaid provisions of this section; and such writ shall issue in the name of the Queen at the relation of the commissioners appointed under the provisions of this Act; and the failure to comply with its requirements shall be punishable as contempt; and the commissioners, as complainants, may also apply, in any court of competent jurisdiction for a writ of injunction against such carrier to restrain it from receiving or transporting property among the several provinces, or between Canada and adjacent foreign countries, or between ports of transhipment and of entry and the several provinces of the Dominion of Canada, as mentioned in the first section of this Act, until such carrier has complied with the provisions of this section.

No agreement to prevent continuous passage of freight.

10. No carrier shall enter into any combination, contract or agreement, expressed or implied, to prevent, by change of time schedule, carriage in different cars, or by other means or devices, the carriage of freight from being continuous from the place of shipment to the place of destination; and no break of bulk, stoppage or interruption made by such carrier shall prevent the carriage of freights from being and being treated as one continuous carriage from the place of shipment to the place

of destination unless such break, stoppage or interruption was made in good faith for some necessary purpose, and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this Act.

Damages to person injured.

11. If any carrier does, causes to be done, or permits to be done, anything in this Act prohibited, or omits to do anything in this Act required to be done, such carrier shall be liable to the person injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this Act.

How claims for damages to be made.

12. Any person claiming to be damaged by a carrier may either make complaint to the commission as hereinafter provided for, or may bring suit in his own behalf for the recovery of the damages for which such carrier is liable under the provisions of this Act, in any court of competent jurisdiction; but such person shall not have the right to pursue both such remedies, and must in each case elect which one of the two methods of procedure herein provided for he will adopt. The court before which any such action brought for the recovery of damages is pending may compel any director, officer, receiver, trustee or agent of the corporation or company defendant in such suit to attend, appear, and testify in such case, and may compel the production of the books and papers of such corporation or company party to any such suit.

Penalties.

13. Any carrier,—or if such carrier is a corporation, then any director or officer thereof, or any receiver, trustee, lessee, agent or person acting for or employed by such corporation,—who, alone or with any other corporation, company or person, party, willfully does or causes to be done, or willingly suffers or permits to be done anything in this Act prohibited, or who aids or abets therein, or wilfully omits or fails to do anything in this Act required to be done, or causes or willingly suffers or permits anything so directed or required by this Act to be done not to be so done, or aids or abets any such failure, or is guilty of any infraction of this Act, or aids or abets therein, shall, upon conviction thereof in any court of the province within the jurisdiction of which such offence was committed, be liable to a fine not exceeding five thousand dollars for each offence; and if the offence is an unlawful discrimination in rates, fares or charges for the transportation of passengers or property, such person shall, in addition to such fine, be liable to imprisonment for a term not exceeding two years, or to both such fine and imprisonment, in the discretion of the court.

2. Any carrier, or, if such carrier is a corporation, any officer or agent thereof, or any person acting for or employed by such corporation, who by means of false billing, false classification, false weighing, or false report of weight, or by any device or means, knowingly and wilfully assists, or willingly suffers or permits, any person to obtain transportation for property at less than the regular rates then established and in force on the line of transportation or such carrier, shall upon conviction thereof in any court of competent jurisdiction within the district in which such offence was committed, be liable for

each offence, to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both, in the discretion of the court.

3. Any person, or any officer or agent of any corporation or company, who delivers property for transportation to any carrier or for whom as consignor or consignee any such carrier transports property who knowingly and wilfully, by false billing, false classification, false weighing, false representation of the contents of a package, or false report of weight, or by any other device or means, whether with or without the consent or connivance of the carrier or its agents, obtains transportation for such property at less than the regular rates then established and in force on the line of transportation shall be deemed guilty of fraud, and shall, upon conviction thereof in any court of competent jurisdiction within the district within which such offence was committed, be subject for each offence to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding two years, or to both, in the discretion of the court.

4. If any such person, or any officer or agent of any such corporation or company, by the payment of money or other things of value, or by solicitation or otherwise, induces any carrier, or any of its officers or agents to discriminate unjustly in his, its or their favour as against any other consignor or consignee, in the transportation of property, or aids or abets any carrier in any such unjust discrimination, such person, officer or agent shall upon conviction thereof in any court of competent jurisdiction within the district in which such offence was committed, be liable for each offence to a fine not exceeding five thousand dollars, or to imprisonment for a period of not exceeding two years, or to both, in the discretion of the court, and such person, corporation, or company shall also, together with the said common carrier, be liable, jointly or severally, in an action brought by any consignor or consignee discriminated against in any court of competent jurisdiction, for all damages caused thereby or resulting therefrom.

Inter-provincial Commerce Commission.

14. A commission may be established, to be known as the Inter-provincial Commerce Commission, which shall be composed of five commissioners, appointed by the Governor in Council. Not more than three of such commissioners shall be appointed from the same political party. No person in the employ of or holding any official relation to any carrier, or holding stock or bonds thereof, or who is in any manner pecuniarily interested therein, shall be competent to act as a commissioner. The commissioners shall not engage in any other business, vocation, or employment. No vacancy in the commission shall impair the right of the remaining commissioners to exercise all the powers of the commission.

Powers of commission.

15. The commission may inquire into the management of the business of all carriers, and shall keep itself informed as to the manner and method in which such business is conducted, obtain from such carrier full and complete information necessary to enable the commission to perform the duties and carry out the object for which it was created. Upon the request of the commission, any county attorney in any province

to which the commission applies, shall institute in the proper court and prosecute under the direction of the Attorney General of Canada all necessary proceedings for the enforement of the provisions of this Act and for the punishment of all violations thereof, and the cost and expenses of such prosecution shall be paid by the Crown; and for the purposes of this Act the commission shall have power to require by subpœna, the attendance and testimony of witnesses, and the production of all books, papers, tariffs, contracts, agreements and documents relating to any matter under investigation.

2. Such attendance of witnesses, and the production of such documentary evidence may be required from any place in Canada at any designated place of hearing.

3. In case of disobedience to a subpœna the commission, or any party to a proceeding before the commission, may invoke the aid of any court of Canada in requiring the attendance and testimony of witnesses and the production of books, papers and documents under the provisions of this section; and any of the courts of Canada within the jurisdiction of which such inquiry is carried on, may, in case of contumacy or refusal to obey a subpœna issued to a carrier or other person, issue an order requiring such carrier or person to appear before such commission (and produce books and papers if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

4. The testimony of any witness may be taken, at the instance of a party in any proceeding or investigation depending before the commission by disposition, at any time after a cause or proceeding is at issue. The commission may also order testimony to be taken by deposition in any proceeding or investigation pending before it, at any stage of such proceeding or investigation. Such depositions may be taken before any judge of any court in any of the provinces, or any clerk of a court, or any chancellor, justice or judge of a supreme or superior court, mayor or chief magistrate of a city, judge of a county court, or court of common pleas, or any notary public, not being of counsel or attorney to either of the parties, nor interested in the event of the proceeding or investigation. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, as either may be nearest, which notice shall state the name of the witness, and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce documentary evidence, in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the commission as hereinbefore provided.

5. Every person deposing as hereinbefore provided shall be cautioned and sworn to testify the whole truth and shall be carefully examined. His testimony shall be reduced to writing by the magistrate taking the deposition, or under his direction, and shall, after it has been reduced to writing, be subscribed by the deponent.

6. If a witness whose testimony it is desired to take by deposition is in a foreign country, the deposition may be taken

before an officer or person designated by the commission or agreed upon by the parties by stipulation in writing to be filed with the commission.

7. Witnesses whose depositions are taken pursuant to this Act, and the magistrate or other officer taking the same shall severally be entitled to the same fees as are paid for for like services in the county court or superior court.

Proceedings where complaint against carrier.

16. Any person, firm, corporation, or association, or any mercantile, agricultural, or manufacturing society, complaining of anything done or omitted to be done by any carrier in contravention of the provisions of this Act, may apply to the commission by petition, which shall briefly state the facts; whereupon a statement of the charges thus made shall be forwarded by the commission to such carrier, who shall be called upon to satisfy the complaint or to answer it in writing within a reasonable time, to be specified by the commission. If such carrier, within the time specified, makes reparation for the injury alleged to have been done, the carrier shall be relieved from liability to the complainant only for the particular violation of law thus complained of. If the carrier does not satisfy the complaint within the time specified, or there appears to be any reasonable ground for investigating the complaint, it shall be the duty of the commission to investigate the matter complained of in such manner and by such means as it deems proper.

2. The commission shall in like manner investigate any complaint forwarded by the railway commissioner or railway commission of any province at the request of such commissioner or commission and may institute any inquiry of its own motion in the same manner and to the same effect as though complaint had been made.

3. No complaint shall be dismissed because of the absence of direct damage to the complainant.

Report of commission.

17. Whenever an investigation is made by the commission it shall be its duty to make a report in writing with respect thereto, which report shall include the findings of facts upon which the conclusions of the commission are based, together with its recommendation as to what reparation, if any, should be made by the carrier to any party found to have been injured; and such findings so made shall thereafter, in all judicial proceedings, be deemed *prima facie* evidence as to each and every fact found.

2. All reports of investigations made by the commission shall be entered of record, and a copy thereof shall be furnished to the party who complained, and to any carrier complained of.

3. The commission may provide for the publication of its reports and decisions in such form and manner as it deems best adapted for public information and use, and such authorized publications shall be evidence of the reports and decisions of the commission therein contained, in all courts in Canada and of the several provinces without any further proof or authentication thereof. The commission may also cause to be printed for early distribution its annual report.

18. If in any case in which an investigation is made by the commission it is made to appear to the satisfaction of the commission, either by the testimony of witnesses or by other evidence, that anything has been done or omitted to be done in violation of the provisions of this Act or of any law cognizable by the commission, by any carrier, or that any injury or damage has been sustained by the party or parties complaining, or any other parties aggrieved in consequence of such violation, the commission shall forthwith cause a copy of its report with respect thereto to be delivered to such carrier, together with a notice to such carrier to cease and desist from such violation, or to make reparation for the injury so found to be done, or both, within a reasonable time, to be specified by the commission; and if, within the time specified it is made to appear to the commission that such carrier has ceased from such violation of law, and has made reparation for the injury found to be done, in compliance with the report and notice of the commission, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the commission, and the carrier shall thereupon be relieved from further liability or penalty for such particular violation of the law. Notice to carrier.

19. Whenever a carrier violates, refuses or neglects to obey or perform any lawful order or requirement of the commission, the commission or any person interested in such order or requirement, may apply in a summary way, by petition, to the county court or superior court of the judicial district in which the carrier complained of has its principal office or in which the violation or disobedience of such order or requirement occurs, alleging such violation or disobedience, as the case may be; and the said court may hear and determine the matter, on such short notice to the carrier complained of as the court deems reasonable; and such notice may be served on such carrier, its officers, agents or servants in such manner as the court directs; and the court shall proceed to hear and determine the matter speedily as a court of equity, and without the formal pleadings and proceedings applicable to ordinary suits in equity but in such manner as to do justice in the premises, and to this end the court may, if it thinks fit, direct, and prosecute in such mode and by such persons as it appoints, all such inquiries as the court thinks needful to enable it to form a just judgment in the matter of such petition; and on such hearing the findings of fact in the report of the commission shall be *primâ facie* evidence of the matters therein stated; and if it is made to appear to the court, on such hearing or on the report of any such person, that the lawful order or requirement of the commission has been violated or disobeyed, the court may issue a writ of injunction or other proper process, mandatory or otherwise, to restrain the carrier from further continuing such violation or disobedience of such order or requirement, and enjoining obedience thereto; and in case of any disobedience of such writ or other process, the court may issue writs of attachment or any other process of the court incident or applicable to such writ or other process, against the carrier, and if a corporation, against one or more of its directors, officers or agents, or against any owner, lessee, Application to court by commission or party aggrieved.

trustee, receiver, or other person failing to obey such writ or other process; and the court may, if it thinks fit, make an order directing the carrier or other person so disobeying such writ or other process, to pay such sum of money, not exceeding for each carrier or person in default the sum of five hundred dollars for every day, after a day to be named in the order, that such carrier or other person fails to obey such writ or other process; and such money shall be payable as the court directs, either to the party complaining or into the court, to abide the ultimate decision of the court; and payment thereof may, without prejudice to any other mode of recovering it, be enforced by attachment or order in the nature of a writ of execution, in like manner as if it were recovered by a final decree *in personam* in such court. When the subject in dispute is of the value of two thousand dollars or more, either party to such proceeding before such court may appeal to the Supreme Court of Canada, under the same regulations now provided by law with respect to security for such appeal; but such appeal shall not operate to stay or supersede the order of the court or the execution of any writ or process thereon; and such court may in every such matter order the payment of such costs and counsel fee as shall be deemed reasonable. Whenever any such petition is filed or presented by the commission it shall be the duty of the county attorney under the direction of the Attorney General of Canada to prosecute; and the costs and expenses of such prosecution shall be paid by the Crown.

Trial by jury.

2. If the matters involved in any such order or requirement of the commission are founded upon a controversy requiring a trial by jury, and the carrier violates or refuses or neglects to comply therewith after notice given by the commission as provided in the section eighteen, any person interested in such order or requirement may apply in a summary way by petition to the county court or superior court of the province in which the carrier as its principal office, or in which the violation or disobedience of such order or requirement occurs, alleging such violation or disobedience, as the case may be; and such court shall by its order then fix a time and place for the trial, which shall not be less than twenty or more than forty days from the time the order is made, and it shall be the duty of the sheriff of the district in which the proceeding is pending to forthwith serve a copy of such petition and order upon each of the defendants, and it shall be the duty of the defendants to file their answers to the petition within ten days after such service. At the trial the findings of fact of the commission as set forth in its report, shall be *prima facie* evidence of the matters therein stated, and if either party demands a jury or omits to waive a jury the court shall, by its order, direct the sheriff forthwith to summon a jury to try the cause; but if all the parties waive a jury in writing, then the court shall try the issues in the cause and render its judgment thereon. If the subject in dispute is of the value of two thousand dollars or more, either party may appeal to the Supreme Court of Canada under the same regulations now provided by law with respect to security for such appeal; but such appeal must be taken within twenty days from the rendering of the judgment of the court. For the purposes of this Act, except its penal provisions, the county courts and superior courts of the provinces, shall be deemed to be always in session.

Appeal to Supreme Court.

Working of commission.

20. The commission may conduct its proceedings in such manner as will best conduce to the proper despatch of business and to the ends of justice. A majority of the commission shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. The commission may, from time to time, make general rules or orders for the regulation of proceedings before it, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the courts of Canada. Any party may appear before the commission and be heard in person or by attorney. Every vote and official act of the commission shall be entered of record, and its proceedings shall be public upon the request of either party interested. The commission shall have an official seal which shall be judicially noticed. Any member of the commission may administer oaths and affirmations and sign subpœnas.

Salary of officers of commission.

21. Each commissioner shall receive an annual salary of two thousand dollars. The commission shall have a secretary who shall receive an annual salary of one thousand five hundred dollars. The commission shall have authority to employ and fix the compensation of such other employees as it finds necessary to the proper performance of its duties. Until otherwise provided by law, the commission may hire suitable offices for its use, and may procure all necessary office supplies. Witnesses summoned before the commission shall be paid the same fees and mileage as are paid witnesses in the courts of the provinces. Witness fees.

Expenses of commission.

2. All the expenses of the commission, including all necessary expenses for transportation incurred by the commissioners or by their employees under their orders, in making any investigation, or upon official business in any other place than in the city of Ottawa, shall be allowed and paid on the presentation of itemized vouchers therefor approved by the chairman of the commission.

Where sessions to be held.

22. The principal office of the commission shall be in the city of Ottawa, where its general sessions shall be held, but whenever the convenience of the public or of the parties may be promoted or delay or expense prevented thereby, the commission may hold special sessions in any part of the Dominion. It may, by one or more of the commissioners, prosecute any inquiry necessary to its duties, in any part of Canada, into any matter or question of fact pertaining to the business of any carrier.

Annual reports from carriers.

23. The commission may require annual reports from all carriers, fix the time and prescribe the manner in which such reports shall be made, and require from such carriers specific answers to all questions upon which the commission needs information. Such annual reports shall show, in detail, the amount of capital stock issued, the amounts paid therefor, and the manner of payment; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts, and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipment; the

number of employees and the salaries paid each class; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses, the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year including an annual balance-sheet. Such reports shall also contain such information in relation to rates or regulations concerning fares or freight, or agreements, arrangements, or contracts with other common carriers, as the commission requires; and the commission may within its discretion, for the purpose of enabling it the better to carry out the purposes of this Act prescribe (if in the opinion of the commission it is practical to prescribe such uniformity and method of keeping accounts) a period of time within which all carriers shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept.

Annual report of commission.

24. The commission shall, on or before the first day of December in each year, make a report, which shall be laid before Parliament during the first fifteen days of the next session thereof. This report shall contain such information and data collected by the commission as are considered of value in the determination of questions connected with the regulation of commerce, together with such recommendation as to additional legislation relating thereto as the commission deems necessary, together with the names and compensation of the persons employed by the commission.

Exceptions to general clauses of Act.

25. Nothing in this Act shall prevent the carriage, storage or handling of property free or at reduced rates for the Dominion, or the provinces, or municipal corporations, or for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the free carriage of destitute and homeless persons transported by charitable societies, and the necessary agents employed in such transportation, for the issuance of mileage, excursion, or commutation passenger tickets; and nothing in this Act shall be construed to prohibit any carrier from giving reduced rates to ministers of religion, or to municipal corporations for the transportation of indigent persons, or to the inmates of orphan homes or other charitable institutions, including those about to enter and those returning home after discharge, under arrangements with the board of managers of such homes or institutions; and nothing in this Act shall be construed to prevent railways from giving free carriage to their own officers and employees, or to prevent the principal officers of any railway company from exchanging passes or tickets with other railway companies for their officers and employees; and nothing in this Act contained shall in any way abridge or alter the remedies now existent at common law or by statute, but the provisions of this Act are in addition to such remedies: Provided, that nothing in this Act shall prevent the issuance of joint interchangeable five thousand mile tickets, with special privileges as to the amount of free baggage that may be carried under mileage tickets of one thousand or more miles. But before any carrier issues any joint interchangeable mileage tickets with special privi-

leges as aforesaid it shall file with the commission copies of the joint tariffs of rates, fares or charges on which such joint interchangeable mileage tickets are to be based, together with specifications of the amount of free baggage permitted to be carried under such tickets, as carriers are required to do with regard to other joint rates by section six; and all the provisions of the said section relating to joint rates, fares and charges shall be observed by such carrier and enforced by the commission as fully with regard to such joint interchangeable mileage tickets as with regard to other joint rates, fares and charges referred to in the said section. No carrier that has issued or authorized to be issued any such joint interchangeable mileage tickets shall demand, collect, or receive from any person a greater or less compensation for transportation of persons or baggage under such joint interchangeable mileage tickets than that required by the rates, fare, or charge specified in the copies of the joint tariff of rates, fares, or charges filed with the commission in force at any time, and the provisions of section thirteen of this Act shall apply to any violation of this provision.

Jurisdiction of courts.

26. The county and superior courts of the province shall have jurisdiction upon the relation of any person, firm or corporation alleging such violation by a carrier of any of the provisions of this Act as prevents the relator from having interprovincial traffic moved by the carrier at the same rates as are charged or upon terms or conditions as favourable as those given by the carrier for like traffic under similar conditions to any other shipper, to issue a writ of mandamus against the carrier, commanding it to move and transport the traffic or to furnish cars or other facilities for transportation for the party applying for the writ: Provided, that if any question of fact as to the proper compensation to the carrier for the service to be enforced by the writ is raised by the pleadings, a writ of peremptory mandamus may issue, notwithstanding such question of fact is undetermined, upon such terms as to security, payment of money into court, or otherwise, as the court thinks proper, pending the determination of the question of fact: Provided, that the remedy hereby given by writ of mandamus shall be cumulative and shall not be held to exclude or interfere with other remedies provided by this Act.

Witnesses to be protected.

27. No person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing, concerning which he testifies or produces evidence, documentary or otherwise, before the commission, or in obedience to its subpœna, or in any such case or proceeding: Provided that no person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

Perjury.

Penalty for refusal to give evidence.

2. Any person who neglects or refuses to attend and testify, or to answer any lawful inquiry, or to produce books, papers, tariffs, contracts, agreements, and documents, if in his power to do so, in obedience to the subpœna or lawful requirement

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of the commission, shall be guilty of an offence and liable to a fine of not less than one hundred dollars nor more than five thousand dollars, or to imprisonment for not more than one year, or to both such fine and imprisonment.

No. 28.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to regulate Freight and Passenger Rates on Railways.

First reading, February 26, 1901.

Mr. Reid,
(Grenville.)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 29.] **BILL.** [1901.

An Act to amend the Dominion Lands Act.

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

R.S.C., c. 54, cl. 2 amended.

1. Clause 2 of *The Dominion Lands Act*, chapter 54 of the Revised Statutes, is amended by adding the following paragraph thereto :—

"(*i.*) The expression 'Commissioner of Dominion Lands' means the officer of the Department of the Interior who bears that designation, or any officer appointed to perform his duties for the time being."

"Commissioner of Dominion Lands" defined.

Clause 36 amended.

2. Subclause 1 of clause 36 of the said Act is amended by striking out the words "it shall be void" in the sixth line thereof, and inserting in lieu thereof the words "it may be declared void by the Minister."

2. Subclause 3 of the said clause 36 is repealed and the following is substituted therefor :—

"3. Provided further that in the case of any immigrant the time for perfecting his entry may be extended by the Minister for any period not exceeding one year from the date upon which he obtained such entry."

Clause 38 amended.

3. Subclause 9 of clause 38 of the said Act, as enacted by section 6 of chapter 31 of the statutes of 1898, is amended by adding after the words "first homestead" in the sixth line of such subclause, the words "if the second homestead is in the vicinity of the first homestead."

2. The paragraph lettered (*b*) added to the said subclause 9 of clause 38 of the said Act by section 2 of chapter 20 of the statutes of 1900, is repealed.

3. Subclause 10 of the said clause 38, as enacted by section 4 of chapter 29 of the statutes of 1897, and as amended by section 7 of chapter 31 of the statutes of 1898, is repealed, and the following is substituted therefor :—

"10. Notwithstanding anything contained in this Act, any person claiming a patent for land for which he has made entry as a homestead shall be entitled to obtain such patent, upon proving to the satisfaction of the Minister or of the Commissioner of Dominion Lands :

"(*a*) That he has fulfilled three years' residence within the meaning of this clause ;

"(*b*) That he has at least forty head of cattle upon such land, and that he is the actual owner of such cattle ;

"(*c*) That he has erected on such land, or upon land occupied by him in the vicinity, stables and outhouses sufficient to winter at least forty head of cattle."

4. The following subclause is added to the said clause 38 :—

"11. If the settler has his permanent residence upon farming land owned by him in the vicinity of his homestead, the requirements of this Act as to residence may be satisfied by residence upon the said land."

Construction of clause 42.

4. Notwithstanding section 5 of chapter 34 of the statutes of 1895, and for the removal of doubts, it is declared that the clause substituted for clause 42 of *The Dominion Lands Act* by section 5 of chapter 29 of the statutes of 1897, shall be read and construed as if such substituted clause had originally formed part of *The Dominion Lands Act*,—except only as is provided by sub-section 2 of section 5 of chapter 34 of the statutes of 1895.

Clause 44 amended.

5. Clause 44 of the said Act is amended by adding the following sub-clause thereto :—

"6. If any settler has acquired a right to receive a patent for his homestead subject to an acknowledgment and charge created under the provisions of section 38 of chapter 17 of the statutes of 1883, or of the provisions of this clause, and has applied for the issue of such patent but it has not been issued, the holder of the charge so created may obtain the patent or a certificate for patent in the name of such settler, whether the latter is a British subject or not, or in the names of his legal representatives, whether they are British subjects or not ; and thereafter the said charge shall become a statutory mortgage on such homestead."

Clause 50 amended.

6. The clause substituted for clause 50 of the said Act by section 6 of chapter 29 of the statutes of 1897, is amended by striking out the following words at the beginning thereof :— "When so authorized by the Governor in Council."

1894, c. 26, new s. 3.

Sale or lease of public lands.

7. Section 3 of chapter 26 of the statutes of 1894 is hereby repealed and the following is substituted therefor :—

"**3.** The Governor in Council may authorize the sale or lease of any lands vested in the Crown which are not required for public purposes, and for the sale or lease of which there is no other provision in the law, or may make regulations for the sale or lease thereof; and all leases issued by the special authority of the Governor in Council, or pursuant to such regulations, may be executed on behalf of the Crown by the Minister.

"Lands" defined.

"2. The expression 'lands' in this section means real property of any kind, or any interest therein."

Rate of interest.

8. Whenever interest is payable under any provision of *The Dominion Lands Act* or of any Act in amendment thereof, or under or by virtue of any regulation or order made or issued by the Governor in Council or the Minister of the Interior under the said Act or amending Act, for or on account of the purchase money or rent of any Dominion lands, school lands, or mining, grazing or timber lands or claims, or for or on account

of the purchase money or rent of any other lands or claims to which the said Act or amending Act relates, or for or on account of any other claim, matter or thing arising under any provision of the said Act or amending Act, the rate of such interest from the seventh day of July, 1900, the date upon which chapter 29 of that year came into force, shall be five per cent per annum, whether such interest is payable under the terms of any sealed or unsealed instrument or not.

No. 29.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Dominion Lands Act.

First reading, February 26, 1901.

Mr. SIFTON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 30.] **BILL.** [1901.

An Act further to amend the Dominion Lands Act.

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

R.S.C., c. 54, clause 29 amended.

1. Subclauses 2, 3 and 4 of clause 29 of *The Dominion Lands Act*, chapter 54 of the Revised Statutes, are repealed and the following subclause is substituted therefor:—

Sale of lands to actual settlers only.

"2. The sale of Dominion lands suitable for agricultural purposes shall be to actual settlers only, upon reasonable terms of settlement, and in such areas as can be reasonably occupied and cultivated by the settler."

Clause 29 further amended.

2. Subclause 5 of the said clause 29 is amended by substituting the word "may" for the word "shall" wherever it occurs in the third line of the said subclause.

No grants to corporations.

3. No grants of Dominion lands shall in future be made to railway or other corporations.

No. 30.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act further to amend the Dominion Lands Act.

First reading, February 27, 1901.

Mr. Charlton.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 31.] **BILL.** [1901.

An Act respecting the Orford Mountain Railway Company.

Preamble.

WHEREAS the Orford Mountain Railway Company has, by its petition, represented that it was incorporated by an Act of the legislature of the province of Quebec, being chapter 98 of the statutes of 1888, 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, declares and enacts as follows:—

Quebec, 1888, c. 98.

Declaratory.

1. In this Act the expression "the Company" means the body corporate and politic created by the Act mentioned in the preamble, and the works which the Company is empowered to undertake are declared to be works for the general advantage of Canada, and from the passing of this Act the Company and its works shall be subject to the provisions of *The Railway Act*.

Line of railway authorized.

2. The Company may construct or acquire and may operate a railway from a point on its main line between Lawrenceville and Eastman, thence easterly to a point north of Orford Mountain and thence to Magog.

Bond issue.

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

Head office.

4. The directors may, from time to time, by by-law, fix or change the place of its head office.

Number of directors.

5. The shareholders may, by by-law passed at any general meeting of the Company, reduce the number of directors to seven and the quorum of directors to four.

Agreement with another company.

6. The works of the Company, or any part thereof, may be leased or sold to the Grand Trunk Railway Company of Canada, the Quebec Southern Railway Company, the Stanstead, Shefford and Chambly Railway Company or the Canadian Pacific Railway Company, on such terms and conditions as are agreed upon between the directors of the two companies; provided that such lease or sale has been first sanctioned by the consent, in writing, of every shareholder of the Company and by the

Approval of shareholders and Governor in Council.

Notice of application for sanction.

Governor in Council; or failing such consent of every shareholder, then by two-thirds of the votes of the shareholders present or represented by proxy at a special general meeting duly called for the purpose, after notice of the proposed application therefor has been published in *The Canada Gazette*, and also in newspapers published respectively at Waterloo and St. John's, in the province of Quebec, for at least four weeks previous to the hearing of such application.

No. 31.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Orford Mountain Railway Company.

First reading, February 27, 1901.

(PRIVATE BILL.)

MR. PARMALEE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 32] **BILL.** [1901.

An Act to provide for the Marking and Inspection of Packages containing Fruit for Sale.

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 Fruit Marks Act*, 1901.

Commencement.

2. This Act shall come into operation on the first day of July, 1901.

"Closed package" defined.

3. In this Act, unless the context otherwise requires, the expression "closed package" means a package of which the contents cannot be seen or inspected when such package is closed.

Marks on packages.

4. Every person who, by himself or through the agency of another person, packs fruit in a closed package, intended for sale, shall cause the package to be marked in a plain and indelible manner, before it is taken from the premises where it is packed,—

(*a.*) with the initials of the Christian names, and the full surname and address of the packer;

(*b.*) with the name of the variety or varieties; and

(*c.*) with a designation of the grade of the fruit.

Packages not to be sold unless so marked.

5. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package and intended for sale unless such package is marked as required by the next preceding section.

A No. 1 Canadian apples and pears.

6. No person shall sell, or offer, expose or have in his possession for sale, any apples or pears packed in a closed package and intended for export upon which is marked the grade "A No. 1 Canadian" unless such fruit consists of well-grown specimens of one variety, sound, of nearly uniform size, of good colour for the variety, of normal shape and not less than ninety per cent free from scab, worm holes, bruises and other defects, properly packed and marked in a plain and indelible manner with the minimum size of the fruit in inches (or fraction thereof) across the core of the fruit.

No. 1 Canadian apples and pears.

7. No person shall sell, or offer, expose of have in his possession for sale, any apples or pears packed in a closed package and intended for export upon which is marked the grade "No. 1 Canadian" unless such fruit consists of specimens of

one variety, sound, of fairly uniform size and not less than eighty per cent free from scab, worm holes, bruises and other defects, properly packed and marked in a plain and indelible manner with the minimum size of the fruit in inches (or fraction thereof) across the core of the fruit.

False marking of packages.

8. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in any package upon which is marked any designation of size, grade or variety which falsely represents such fruit, or in which the faced or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than fifteen per cent of such fruit is substantially smaller in size than, or inferior in grade to, or different in variety from, the marks on such package or the faced or shown surface of such package.

Penalty for violation of Act.

9. Every person who, by himself or through the agency of another person, violates any of the provisions of this Act shall, for each offence, upon summary conviction, be liable to a fine not exceeding one dollar and not less than twenty-five cents for each package which is packed, sold, offered, exposed or had in possession for sale contrary to the provisions of this Act, together with the costs of prosecution; and in default of payment of such fine and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding one month, unless such fine and the costs of enforcing it are sooner paid.

Inspector's duty as to false marks.

10. Whenever any fruit packed in a closed package is found to be falsely marked, any inspector charged with the enforcement of this Act may efface such false marks and mark the words "falsely marked" in a plain and indelible manner on such package.

Tampering with marks.

11. Every person who wilfully alters, effaces or obliterates wholly or partially, or causes to be altered, effaced or obliterated, any inspector's marks on any package which has undergone inspection shall incur a penalty of forty dollars.

Who shall be liable.

12. The person on whose behalf any fruit is packed, sold, offered or had in possession for sale, contrary to the provisions of the foregoing sections of this Act, shall be *prima facie* liable for the violation of this Act.

Right to make examination of packages.

13. Any person charged with the enforcement of this Act may enter upon any premises to make any examination of any packages of fruit suspected of being falsely marked in violation of any of the provisions of this Act, whether such packages are on the premises of the owner, or on other premises, or in the possession of a railway or steamship company; and any person who obstructs or refuses to permit the making of any such examination shall, upon summary conviction, be liable to a penalty not exceeding five hundred dollars and not less than twenty-five dollars, together with the costs of prosecution, and in default of payment of such penalty and costs, shall be liable

to imprisonment, with or without hard labour, for a term not exceeding six months, unless the said penalty and costs of enforcing it are sooner paid.

Procedure.

14. In any complaint, information or conviction under this Act, the matter complained of may be declared, and shall be held to have arisen, within the meaning of Part LVIII of *The Criminal Code*, 1892, at the place where the fruit was packed, sold, offered, exposed or had in possession for sale.

Appeal.

15. No appeal shall lie from any conviction under this Act except to a superior, county, circuit or district court, or the court of the sessions of the peace having jurisdiction where the conviction was had; and such appeal shall be brought, notice of appeal in writing given, recognizance entered into, or deposit made within ten days after the date of conviction; and such trial shall be heard, tried, adjudicated upon and decided, without the intervention of a jury, at such time and place as the court or judge hearing the trial appoints, within thirty days from the date of conviction, unless the said court or judge extends the time for hearing and decision beyond such thirty days; and in all other respects not provided for in this Act the procedure under Part LVIII of *The Criminal Code*, 1892, shall, so far as applicable, apply.

Application of penalties.

16. Any pecuniary penalty imposed under this Act shall, when recovered, be payable one-half to the informant or complainent and the other half to His Majesty.

Regulations by Governor in Council.

17. The Governor in Council may make such regulations as he considers necessary in order to secure the efficient operation of this Act; and the regulations so made shall be in force from the date of their publication in *The Canada Gazette* or from such other date as is specified in the proclamation in that behalf.

No. 32.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to provide for the Marking and Inspection of Packages containing Fruit for Sale.

First reading, February 27, 1901.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 32.] **BILL.** [1901.

An Act to provide for the Marking and Inspection of Packages containing Fruit for Sale.

(Reprinted as amended in Committee of the Whole.)

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 Fruit Marks Act*, 1901.

Commencement.

2. This Act shall come into operation on the first day of July, 1901.

"Closed package" defined.

3. In this Act, unless the context otherwise requires, the expression "closed package" means a box or barrel of which the contents cannot be seen or inspected when such package is closed.

Marks on packages.

4. Every person who, by himself or through the agency of another person, packs fruit in a closed package, intended for sale, shall cause the package to be marked in a plain and indelible manner, before it is taken from the premises where it is packed,—

(*a.*) with the initials of the Christian names, and the full surname and address of the packer;

(*b.*) with the name of the variety or varieties; and

(*c.*) with a designation of the grade of the fruit.

Packages not to be sold unless so marked.

5. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package and intended for sale unless such package is marked as required by the next preceding section.

A No. 1 Canadian apples and pears.

6. No person shall sell, or offer, expose or have in his possession for sale, any apples or pears packed in a closed package, upon which package is marked the grade "A No. 1 Canadian," unless such fruit consists of well-grown specimens of one variety, sound, of nearly uniform size, of good colour for the variety, of normal shape and not less than ninety per cent free from scab, worm holes, bruises and other defects, properly packed and marked in a plain and indelible manner with the minimum size of the fruit in inches (or fraction thereof) across the core of the fruit.

No. 1 Canadian apples and pears.

7. No person shall sell, or offer, expose or have in his possession for sale, any apples or pears packed in a closed package, upon which package is marked the grade "No. 1 Canadian," unless such fruit consists of specimens of one

variety, sound, of fairly uniform size and not less than eighty per cent free from scab, worm holes, bruises and other defects, properly packed and marked in a plain and indelible manner with the minimum size of the fruit in inches (or fraction thereof) across the core of the fruit.

False marking of packages.

8. No person shall sell, or offer, expose or have in his possession for sale any fruit packed in a closed package, upon which package is marked any designation which represents such fruit as of first, best or extra good quality, unless such fruit consist of well-grown specimens of one variety, sound, of nearly uniform size, of good colour for the variety, of normal shape and not less than ninety per cent free from scab, worm holes, bruses and other defects, and properly packed.

Fraud in packing.

9. No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in any package in which the faced or shown surface gives a false representation of the contents of such package; and it shall be considered a false representation when more than fifteen per cent of such fruit is substantially smaller in size than, or inferior in grade to, or different in variety from, the marks on such package or the faced or shown surface of such package.

Penalty for violation of Act.

10. Every person who, by himself or through the agency of another person, violates any of the provisions of this Act shall, for each offence, upon summary conviction, be liable to a fine not exceeding one dollar and not less than twenty-five cents for each package which is packed, sold, offered, exposed or had in possession for sale contrary to the provisions of this Act, together with the costs of prosecution; and in default of payment of such fine and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding one month, unless such fine and the costs of enforcing it are sooner paid.

Inspector's duty as to false marks.

11. Whenever any fruit packed in a closed package is found to be falsely marked, any inspector charged with the enforcement of this Act may efface such false marks and mark the words "falsely marked" in a plain and indelible manner on such package.

Tampering with marks.

12. Every person who wilfully alters, effaces or obliterates wholly or partially, or causes to be altered, effaced or obliterated, any inspector's marks on any package which has undergone inspection shall incur a penalty of forty dollars.

Who shall be liable.

13. The person on whose behalf any fruit is packed, sold, offered or had in possession for sale, contrary to the provisions of the foregoing sections of this Act, shall be *prima facie* liable for the violation of this Act.

Right to make examination of packages.

14. Any person charged with the enforcement of this Act may enter upon any premises to make any examination of any packages of fruit suspected of being falsely marked in violation of any of the provisions of this Act, whether such packages are on the premises of the owner, or on other premises, or in

the possession of a railway or steamship company; and any person who obstructs or refuses to permit the making of any such examination shall, upon summary conviction, be liable to a penalty not exceeding five hundred dollars and not less than twenty-five dollars, together with the costs of prosecution, and in default of payment of such penalty and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding six months, unless the said penalty and costs of enforcing it are sooner paid.

Procedure.

15. In any complaint, information or conviction under this Act, the matter complained of may be declared, and shall be held to have arisen, within the meaning of Part LVIII of *The Criminal Code*, 1892, at the place where the fruit was packed, sold, offered, exposed or had in possession for sale.

Appeal.

16. No appeal shall lie from any conviction under this Act except to a superior, county, circuit or district court, or the court of the sessions of the peace having jurisdiction where the conviction was had; and such appeal shall be brought, notice of appeal in writing given, recognizance entered into, or deposit made within ten days after the date of conviction; and such trial shall be heard, tried, adjudicated upon and decided, without the intervention of a jury, at such time and place as the court or judge hearing the trial appoints, within thirty days from the date of conviction, unless the said court or judge extends the time for hearing and decision beyond such thirty days; and in all other respects not provided for in this Act the procedure under Part LVIII of *The Criminal Code*, 1892, shall, so far as applicable, apply.

Application of penalties.

17. Any pecuniary penalty imposed under this Act shall, when recovered, be payable one-half to the informant or complainant and the other half to His Majesty.

Regulations by Governor in Council.

18. The Governor in Council may make such regulations as he considers necessary in order to secure the efficient enforcement and operation of this Act; and the regulations so made shall be in force from the date of their publication in *The Canada Gazette* or from such other date as is specified in the proclamation in that behalf.

No. 32.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to provide for the Marking and Inspection of Packages containg Fruit for sale.

(Reprinted as amended in Committee of the Whole.)

MR. FISHER.

OTTAWA
Printed by S. E. Dawson

No. 33.] **BILL.** [1901.

An Act respecting Victoria Day.

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

Victoria Day a holiday.

1. Throughout Canada, in each and every year, the twenty-fourth day of May, when not a Sunday, being the birthday of Her late Majesty Queen Victoria, shall be a legal holiday and shall be kept and observed as such under the name of "Victoria Day."

If 24th May is a Sunday.

2. When the twenty-fourth day of May is a Sunday, the twenty-fifth day of May shall be, in lieu thereof, a legal holiday throughout Canada, and shall be kept and observed as such under the same name.

No. 33.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting Victoria Day.

First reading February 27, 1901.

MR. HORSEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 34.] **BILL.** [1901.

An Act to incorporate the Canadian Patriotic Fund Association.

WHEREAS it has been represented that an association was formed during the past year in the city of Ottawa, having for its object the creation of a fund for the following purposes:— Preamble.

(*a.*) The benefit of the widows, orphans and other dependents of officers and men of the military forces of Canada, who might lose their lives in, or in connection with, the war operations in South Africa;

(*b.*) The benefit of the soldiers themselves or others (whether combatant or non-combatant) on duty in South Africa with the authority of the Government of Canada, who might be disabled by wounds, sickness, etc., and their families or dependents;

(*c.*) The benefit of the wives and children and dependents separated at home from those serving in South Africa;

And whereas the persons hereinafter named were appointed members of the said Association, and a large sum of money has been contributed for the objects herein specified, and only a portion of the said sum has as yet been distributed; And whereas the said Association desires to be constituted a corporation with the powers necessary and proper to carry out the objects in view and to protect them in so doing; And whereas the said fund has to be distributed mainly to persons residing in each of the provinces of Canada, and the work of the said corporation will extend to each of the said provinces, and the creation of thes aid corporation is consequently a proper subject of legislation by the Parliament of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. His Excellency the Governor General, their Honours the Lieutenant Governors of Ontario, Quebec, Nova Scotia, New Brunswick, Manitoba, British Columbia, Prince Edward Island and the North-West Territories, the Commissioner of the Yukon, the Right Hon. Sir Wilfrid Laurier, G.C.M.G., the Hon. Sir Charles Tupper, Bart., C.B., G.C.M.G., the Right Hon. Lord Strathcona and Mount Royal, G.C.M.G., the Major General Commanding the Militia, the Honourables F. W. Borden, William Mulock, John Costigan, George E. Foster, Mr. Justice King, Mr. Justice Girouard, George Drummond and George A. Cox, Sir Sandford Fleming, K.C.M.G., His Honour Judge MacTavish, J. M. Courtney, C.M.G., Fred. White, George Burn, Robert Jaffray, Hugh Graham, Lieut.-Col. Irwin, C.M.G, and Frederick Montizam- Incorporation.

Corporate name.

bert, M.D., are incorporated under the name of "The Canadian Patriotic Fund Association," hereinafter called "The Corporation," with all the powers incident to a corporation which are necessary for the carrying out of the objects of this Act

Objects.

2. The objects of the Corporation shall be to distribute the fund hereinbefore mentioned—

(*a.*) For the benefit of the widows, orphans and other dependents of officers and men of the military forces of Canada who have lost their lives or may lose their lives in, or in connection with, the war operations in South Africa;

(*b.*) For the benefit of the soldiers themselves or others (whether combatant or non-combatant) who were or are on duty in South Africa with the authority of the Government of Canada, who have been or are disabled by wounds, sickness, or other casualty, and their families or dependents;

(*c.*) For the benefit of the wives and children and dependents separated at home from those serving in South Africa;

(*d.*) And for such other purposes of a similar character as the corporation from time to time in its discretion determines.

Property to vest.

3. There shall vest in the Corporation the following properties, that is to say:—

(*a.*) All unexpended moneys contributed from any source and in any manner for the objects above specified, to or through the said Association, and including the moneys now on hand or under the control of the said Association or any committee thereof, and all moneys now to the credit of the said Association in any bank in Canada, or in the possession or control of any person, committee, association or society, for the said objects, through the said Association or any committee thereof;

(*b.*) All moneys at any time after the passing of this Act contributed to be expended or distributed by or through the Association or the Corporation.

Withdrawal of money from bank.

4. The cheques of the Corporation shall be signed by its secretary and treasurer, and in the absence of either or both by such other member or members of the Corporation as the Corporation may from time to time determines; and payment thereof to the extent of the amount thereof shall be a sufficient discharge to any bank in which any moneys are at the time, or after the passing of this Act, deposited as aforesaid to the credit of the said Association or of the Corporation; and the receipt of such secretary or treasurer of the Corporation shall be a sufficient discharge for any other moneys with which the Corporation becomes vested as aforesaid or otherwise.

Application of moneys.

5. The Corporation shall take possession of all the said moneys and, subject to the provisions of section 14 of this Act, pay, apply or distribute them to the best of its judgment in such manner among the persons entitled to share therein, and in such amounts, as in the absolute and uncontrolled discretion of the Corporation seems proper or advisable; and the Corporation shall take such means as it thinks necessary or advisable to ascertain who are entitled to share in the said

fund and to what extent and in what manner the persons so found entitled will be relieved by the Corporation.

Temporary disposal of moneys.

6. Pending the final distribution of the fund, the Corporation may

(*a.*) Invest it in the public consols, stocks, bonds, debentures or other securities of the United Kingdom or of any colony or dependency thereof, or of the United States or any State thereof, or in the debentures, bonds, stocks or other public securities of Canada, or of any province of Canada, or of any municipal or public school corporation in Canada; or

(*b.*) Deposit it with any chartered bank in Canada.

Audit of accounts.

Publication of report.

7. On and from the thirtieth day of June, 1901, the accounts of the Corporation shall be audited by the Auditor General of Canada and the Manager of the bank of Montreal at Ottawa; and a report of such audit, with such further statement as seems proper, shall be published as the Corporation directs; and the said auditors, or their successors in office, shall be the auditors of the Corporation.

Corporation not to be liable except for fraud.

8. Except as provided for by the next preceding section, and except as to any fraudulent act or fraudulent omission of the Corporation, the Corporation shall not, nor shall any of its members, be liable or in any way answerable for any of the acts, errors or omissions of the Corporation or of any of its officers, members, employees or agents, whether such acts, errors or omissions have taken place before, or take place after, the passing of this Act, with respect to the receipt, expenditure or distribution of the said moneys, or of any portion thereof, or in any other respect in carrying out the objects of this Act.

Officers of corporation.

9. There shall be a president, a secretary and a treasurer of the Corporation, and such other officers and employees as the Corporation thinks proper, and His Excellency the Governor General shall be the president of the Corporation, Lieut.-Col. D. T. Irwin, C.M.G., the secretary, and J. M. Courtney, C.M.G., the treasurer of the Corporation.

Filling of vacancies.

10. In the event of the death or resignation from office of any of the said officers or of any member of the Corporation, the Corporation may appoint a successor to take the place of the officer or member so dying or resigning, and such officer or member so appointed shall from the time of such appointment have the same powers and duties as if he had been named in this Act as such officer or member.

Successors of *ex officio* officers.

11. Until the Corporation is dissolved as hereinafter provided, the successor or successors in office of the Governor General, and of the Lieutenant Governors of Ontario, Quebec, Nova Scotia, New Brunswick, Manitoba, British Columbia, Prince Edward Island and the North-West Territories, and the Commissioner of the Yukon, shall be members of the Corporation.

Office.

12. The office of the Corporation shall be in the City of Ottawa.

By-laws.

13. Subject to the provisions of this Act, the Corporation may make by-laws, rules or regulations as to the holding of its meetings, the appointment and duties of its officers and employees, the appointment of members to fill vacancies, the quorum at meetings, and generally the internal government of the Corporation and the carrying out of the objects of this Act.

Payment of expenses.

14. The Corporation may, out of the moneys vested in it, pay all expenses it thinks necessary or proper to incur, or which it considers have been properly incurred by the said Association, or on its behalf, in connection with the carrying out of the objects of this Act or of the work of the said Association or of the committees thereof.

When corporation shall be dissolved.

15. When the whole of the moneys to be dealt with by the Corporation have been paid out and expended, or otherwise disposed of, the corporate powers of the Corporation shall be deemed to have ceased and the Corporation to be dissolved.

R.S.C., c. 118.

16. *The Companies Clauses Act* shall not apply to the Corporation.

No. 34.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Canadian Patriotic Fund Association.

First reading, February 28, 1901.

(PRIVATE BILL.)

MR. COSTIGAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 35.] **BILL.** [1901.

An Act respecting the Mather Bridge and Power Company.

Preamble.

1896 (2nd Sess.) c. 13.

WHEREAS the Mather Bridge and Power 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:—

Section 6 amended.

Union with United States companies.

1. Paragraph (a) of section 6 of the Act incorporating the Mather Bridge and Power Company, is amended by striking out the words "the said state of New York or" in the second line thereof and substituting therefor the words "any state."

Section 9 amended.

Provisional directors.

2. Section 9 of the said Act is amended by striking out the name "Thomas Flett" in the second line thereof and substituting therefor the name "John Flett."

Time for construction extended.

3. The time limited by section 17 of the said Act is extended for five years from the passing of this Act.

No. 35.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Mather Bridge and Power Company.

First reading, March 1, 1901.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 36.] **BILL.** [1901.

An Act respecting the Great North-West Central Railway Company.

Preamble.

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

Time for construction extended.

1888, c. 85; 1895, c. 48; 1897, c. 45; 1898, c. 64.

1. The Great North-West Central Railway Company, hereinafter called "the Company," may, within the period of five years from the passing of this Act, complete the railways which by its charter it was authorized to construct, provided that as to so much thereof as is not constructed within that period the powers of the Company shall cease and determine.

1895, c. 48, s. 2 repealed.

Head office.

2. Section 2 of chapter 48 of the statutes of 1895 is repealed, and in lieu thereof it is enacted that from and after the passing of this Act the head office of the Company shall be in the city of Montreal, but the directors of the Company may, from time to time, by by-law, change it to any other place in Canada.

No. 36.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Great North-West Central Railway Company.

First reading, March 1, 1901.

(PRIVATE BILL.)

MR. LARIVIÈRE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 37.] **BILL.** [1901.

An Act to incorporate the Bishop of Keewatin.

Preamble.

WHEREAS by resolution of the Provincial Synod of the Ecclesiastical Province of Rupert's Land, passed on or about the ninth day of August, one thousand eight hundred and ninety-nine, it was resolved that a new diocese of the Church of England in Rupert's Land be formed, to be called the diocese of Keewatin, and to consist of the western part of the diocese of Moosonee, together with the most westerly part of the diocese of Rupert's Land contiguous thereto; and whereas no Synod or Assembly, Convocation or other body comprising representatives of the laity and clergy therein has as yet been convened and organized; and whereas it is expedient that provision should be made for the management and control of the property, affairs and interests of the said church in matters relating to and affecting only the said church and the officers and members thereof; and whereas divers lands situate within the said diocese have been granted to the successive incumbents of the bishopric of the said diocese of Moosonee and their successors in office for various purposes in connection with the said church in the said diocese; and whereas the Right Reverend John Horden, in his lifetime bishop of Moosonee, collected certain sums of money for various church purposes in the diocese of Moosonee, which said sums were contributed by the donors without limitations; and whereas by an indenture bearing date the thirteenth day of December, one thousand eight hundred and eighty-two, set out in the schedule to this Act, the said the Right Reverend John Horden, Donald Alexander Smith, now Lord Strathcona and Mount Royal, and George Stephen, now Lord Mount-Stephen, declared that they held the said sums of money in trust; and whereas among the other trusts contained in the said indenture it was agreed and declared that the sum of seven thousand four hundred and ninety-five pounds, and the stocks, funds and securities representing the same, should be held as a capital fund upon trust for the annual income thereof to be applied for the purposes specified in the first part of the schedule to the said indenture set out in the schedule to this Act; and whereas various other sums were contributed from time to time and were added by the said bishop Horden to the said fund, and the income of the said fund was applied towards the general purposes of the diocese of Moosonee; and whereas the Right Reverend John Horden, died and was succeeded in the said bishopric by the Right Reverend Jervois Arthur Newnham, who is at the present time the bishop of the said diocese of Moosonee; and whereas the said Right Reverend Jervois Arthur Newnham, has added various sums to the said fund, so that it now amounts to

the sum of twelve thousand pounds or thereabouts, and has employed the income thereof towards the general purposes of the diocese of Moosonee in the same manner as his predecessor; and whereas the Right Honourable Lord Strathcona and Mount Royal and the Right Honourable Lord Mount-Stephen have duly notified the Right Reverend Jervois Arthur Newnham of their resignation as trustees under the said trust deed and have rendered full accounts of all their dealings and intromissions with the said trust funds, which have been duly accepted and acknowledged by the said Right Reverend Jervois Arthur Newnham as correct, and now desire to be formally relieved of the said trusts; and whereas the said the Right Reverend Jervois Arthur Newnham believes that the interests of the diocese of Moosonee and the expressed purpose of the said fund for the extension of the missions of the Church of England can be best served by the establishment of the said bishopric of Keewatin and the setting apart towards the endowment thereof a portion, viz.: twenty-five thousand dollars of the said trust fund comprised in the said indenture of the thirteenth day of December, one thousand eight hundred and eighty-two; and by employing the remainder of the trust fund so comprised in the said indenture for such of the purposes of the diocese of Moosonee as in his discretion he may think best; and whereas by reason of the trusts impressed upon the said fund by the said indenture of the thirteenth day of December, one thousand eight hundred and eighty-two, doubts have arisen as to the right to apply the same in the manner set out in the preceding recital, and it is accordingly deemed expedient to provide that the said trust fund shall be freed from the said trusts declared by the said indenture: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. The Bishop of Keewatin and his successors in office are incorporated for the purposes mentioned in the preamble, under the name of "The Bishop of Keewatin," hereinafter called "the Corporation," with all the powers and privileges contained in paragraph 43 of section 7 of chapter 1 of the Revised Statutes.

Power to hold real property.

2. The Corporation may receive and hold property of any kind for the uses and purposes of the Church of England in the said diocese of Keewatin, including the uses and purposes of any parish and mission, institution, college, school or hospital now or hereafter connected with the Church of England, and may receive any devise by will, gift, deed, conveyance of land or any estate or interest therein, and sell, alienate, mortgage or lease any lands, tenements and hereditaments held by it whether by way of investment for the uses and purposes hereinbefore mentioned or not.

Investment powers.

3. The Corporation may invest its funds and moneys, including the Episcopal Endowment Fund in

Government securities.

(*a.*) Government securities of the United Kingdon or Canada, or in the stocks, funds, bonds or debentures of the Government of India, or of any of the colonies of Great Britain, or

(*b.*) the debentures, debenture stock, mortgages or securities of any corporation or company in the United Kingdom, or in any of the said colonies, provided such company is incorporated by Act of Parliament or charter, or is authorized by any such government, and which has for the three years last preceding paid dividends on the ordinary stock, or Debentures and mortgages.

(*c.*) in the purchase of freehold lands, or Freehold lands.

(*d.*) in first mortgages on freehold property in Canada ; and for the purposes of such investments may take mortgages or assignments thereof, whether such mortgages or assignments be made directly to it in its own corporate name, or to some company or person in trust for it, and may sell and assign the same. Mortgages of real estate.

4. The Corporation may exercise all its powers by and through an executive committee or such boards or committees as the bishop may from time to time appoint for the management of any of the affairs of the said bishopric, but in accordance only with the trusts relating to any property upon or for which the same is held. Executive committee.

5. Instruments executed by the Corporation shall be verified by the signature of the bishop of Keewatin or his commissary for that purpose by him in writing appointed. Execution of documents.

6. The bishop of Keewatin may receive a transfer of any property vested in the bishop of Moosonee or other person on any of the trusts or for any of the purposes aforesaid, and may hold the same to and upon the trusts, uses and purposes which theretofore attached to it ; and upon such transfer the bishop of Moosonee or other person shall be freed from any liability arising from the future execution of the said trusts. Transfers by Bishop of Moosonee.

7. The Corporation may transfer any property held in trust by it for any eleemosynary, ecclesiastical or educational use of the Church of England in the diocese of Keewatin, or for any of the purposes herein set forth, to the Synod of the diocese of Keewatin, when incorporated, to be held by the said synod in trust for the same uses and purposes. Transfer of property held in trust.

8. In addition to the powers and rights conferred by the indenture set forth in the schedule to this Act upon the said bishop of Moosonee and the person or corporation for the time being legally administering the trust funds under the said indenture or being a trustee or trustees thereunder, they or any of them are hereby empowered to apply a portion of the capital of The Moosonee Church Extension Fund, or other funds comprised in the said indenture, towards the endowment of the bishopric or diocese of Keewatin or for the general purposes of the diocese of Moosonee, or otherwise as the bishop of Moosonee in his discretion shall think best, and to transfer the said trust fund or any portion thereof to any trustee and to empower the said trustee to invest the same and apply the income thereof in such manner as shall be declared by a trust deed or trust deeds to be executed by the bishop of Moosonee and such trustee, and any trust company duly authorized to act as trustee in Canada, or any province thereof, Application of trust funds.

shall be competent to be appointed as trustee, and the said trustee may receive, from time to time, any sums which may be added to such trust fund, and the said fund shall be freed from the trusts impressed upon it by the indenture set forth in the schedule to this Act.

Trustees discharged.

9. The application heretofore made of the funds comprised under the indenture set forth in the schedule to this Act for the general purposes of the diocese of Moosonee, is hereby confirmed, and the said trustees, their heirs, executors and administrators, successors in office and assigns, are discharged and released from all liability in reference to such application of the trust funds or otherwise.

SCHEDULE.

To all to whom these presents shall come the Right Reverend John Horden Doctor of Divinity Lord Bishop of the diocese of Moosonee in the Dominion of Canada Donald Alexander Smith of Montreal in the said Dominion Esquire lately the chief commissioner of the honourable Hudson's Bay Company and George Stephen, Esquire, of Montreal aforesaid send greeting. Whereas the said Bishop has from time to time received various contributions amounting in the aggregate to the sum of nine thousand nine hundred and ninety-nine pounds fourteen shillings for various church purposes in his diocese, and such purposes together with the proportions of the said sum intended to be appropriated for each such purpose are severally specified in the five respective parts of the schedule hereunder written. And whereas it is intended that the said monies shall be forthwith invested in the names of the persons parties hereto or under their legal control in one or more of the stocks funds or securities hereinafter authorized. And whereas the said persons parties hereto have agreed between themselves to make such declaration of trust as is hereinafter contained respecting such sums of money so appropriated as aforesaid. And whereas the trustees of the Society for Promoting Christian Knowledge Registered have agreed to grant the sum of seven hundred and fifty pounds by way of addition to the sum of seven thousand four hundred and ninety-five pounds specified in the first part of the said schedule.

Now these presents witness and it is hereby agreed and declared by and between the said Bishop, Donald Alexander Smith and George Stephen that the said sum of nine thousand nine hundred and ninety-nine pounds or the stocks funds and securities from time to time representing the same shall forever go and belong and be held by them the said persons parties hereto their executors administrators and assigns in the proportions hereinafter mentioned as capital funds upon trust to permit the Bishop for the time being of the said diocese to apply the dividends and income of each of such capital funds for the purposes for which such fund is held as hereinafter more particularly specified, videlicet:—That the sum of seven thousand four hundred and ninety-five pounds and the stocks funds and securities representing the same shall be held as a capital fund upon trust for the annual income thereof to be

applied for the purposes specified in the first part of the said schedule. And that the sum of one thousand and fifty-two pounds seventeen shillings and the stocks funds and securities representing the same shall be held as a capital fund upon trust for the annual income thereof to be applied for the purposes specified in the second part of the said schedule. And that the sum of six hundred and thirty-three pounds seven shillings and the stocks funds and securities representing the same shall be held as a capital fund upon trust for the annual income thereof to be applied for the purposes specified in the third part of the said schedule. And that the sum of three hundred and nineteen pounds sixteen shillings and the stocks funds and securities representing the same shall be held as a capital fund upon trust for the income thereof to be applied for the purposes specified in the fourth part of the said schedule. And that the sum of four hundred and ninety-eight pounds fourteen shillings and the stocks funds and securities representing the same shall be held as a capital fund upon trust for the income thereof to be applied for the purposes specified in the fifth part of the said schedule. Provided and it is hereby agreed and declared that the said moneys shall be invested in the names or under the legal control of the said persons parties hereto or other the trustees for the time being of these presents in any of the stocks or funds or Government securities of the United Kingdom or of the Dominion of Canada or of any province or territorial division of the said Dominion or in or upon the shares stocks or secureties of any municipal or local company body or corporation in the United Kingdom or in the said Dominion provided also and it is hereby agreed that whenever any trustee of these presents either original or substituted and whether appointed by a court or otherwise is dead or desires to be discharged from the trusts or powers reposed in or conferred on him or refuses or is unfit to act therein or is incapable of acting therein then the Bishop for the time being of the said diocese shall by writing appoint another person or other persons to be a trustee or trustees in the place of the trustee or trustees so dying desiring to be discharged refusing or being unfit or being incapable as aforesaid and if the Bishop be not himself already a trustee he is hereby empowered to appoint himself as trustee of these presents either to fill any such vacancy as aforesaid or as an additional trustee and it shall be lawful for him generally at any time to increase the number of the trustees as to him shall seem fit but it shall not be necessary to keep up the number to more than three provided and it shall be lawful for the trustees or trustee hereof to delegate from time to time any of their powers to local managers or representatives if the Bishop for the time being deems it to be necessary for the well-being of the trusts that such delegation shall take place but nothing herein contained shall interfere with or take away from the power to appoint new trustees or a new trustee hereinbefore vested solely in the Bishop for the time being of the diocese, provided also and it is hereby agreed and declared that the sum of seven hundred and fifty pounds when paid by the said society for promoting Christian knowledge to the trustees of these presents shall be held by

them by way of addition to and be subject to the trusts powers and conditions herein declared concerning the sum of seven thousand four hundred and ninety-five pounds specified in the first part of the said schedule and that any further moneys from any source whatever which may be paid to the trustees hereof in furtherance of any of the said purposes specified in the said schedule shall be subject to the same trusts and powers as the capital fund or funds to which such moneys are intended to be added.

In witness whereof the said parties to these presents have hereunto set their hands and seals the sixteenth day of June one thousand eight hundred and eighty-two.

THE SCHEDULE ABOVE REFERRED TO.

FIRST PART.

The Moosonee Church Extension Fund is held for the purpose of employing additional clergy to those already engaged in the diocese for the extension of the missions of the church iu the diocese. The sum of seven thousand four hundred and ninety-five pounds is appropriated as this fund. No part of this fund is to be employed for paying the salaries of any missionary now at work or in the support of any mission station now in existence.

SECOND PART.

St. Thomas Pastorate Fund is for the support of the clergyman and schools of the Parish of St. Thomas Moose Factory. The sum of one thousand and fifty-two pounds seventeen shillings is appropriated as this fund.

THIRD PART.

Fund for the Education of Children of the Native Clergy. This fund is for the purpose of enabling allowances to be made towards the education of children between the ages of eight and fifteen years of the native clergy. The sum of six hundred and thirty-three pounds seven shillings is appropriated as this fund.

FOURTH PART.

The Moosonee Church Building Fund is for the purpose of aiding in the erection of churches in the diocese. The sum of three hundred and nineteen pounds sixteen is appropriated as this fund.

FIFTH PART.

The York Factory Mission Endowment Fund is for the support of a clergyman and school at the York Factory. The

sum of four hundred and ninety-eight pounds fourteen shillings is appropriated as this fund.

Signed, sealed and delivered by the above named Lord Bishop of Moosonee — JNO. MOOSONEE [L.S.]

In the presence of
CHARLES HOWARD,
Fir Cottage Combe Down Bath.

Signed, sealed and delivered by the above named Donald A. Smith and George Stephen — DONALD A. SMITH [L.S.]; GEO. STEPHEN. [L.S.]

In the presence of
C. DRINKWATER,
Sec'y. Canadian Pacific Ry. Co.,
Montreal.

No. 37.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Bishop of Keewatin.

First reading, March 1, 1901.

(PRIVATE BILL.)

MR. OSLER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 38] **BILL.** [1901.

An Act respecting the Hudson's Bay and North-west Railways Company, and to change its name to "The Great Northern Transit Company."

WHEREAS the Hudson's Bay and North-west Railways Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows :— Preamble. 1897, c. 46; 1899, c. 70.

1. The name of the Hudson's Bay and North-west Railways Company, hereinafter called "the Company," is changed to "The Great Northern Transit 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 favor of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Name changed. Existing rights saved.

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

3. The Company may extend the transit facilities upon and with Hudson's Bay and James' Bay granted by its Act of incorporation, by constructing and operating its line of railway from at or near the mouth of the Albany or Moose Rivers on James' Bay, or from a point or points between the said rivers or branches thereof to the northern shore of Lake Superior, at or near the mouth of the Steel River or to the eastern shore of Lake Superior at or near the mouth of the Agawa River, or to a point or points between the said rivers or branches thereof by the most direct or available route. Lines of railway described. West side of James' Bay.

2. The Company may also lay out, construct and operate a railway from the easterly side of Hudson's Bay or James' Bay, at or near the mouth of East Main River, or of Rupert River or from a point or points between the said rivers, to or near the northern boundary of the county of St. Maurice, in the province of Quebec, and thence to the Ottawa River, at or near the mouth of the Gatineau River, or of the River du Lièvre, or to a point or points between the said rivers, by the most direct or available route. East side of James' Bay.

3. The provisions of the Acts respecting the Company shall apply to the lines of railway hereby authorized. Existing Acts to apply.

Power to construct temporary tramways.

Expropriation powers.

4. The Company may construct and operate, in sections, temporary tramways along or connecting with the route of its railway when the construction and operation of such tramways will enable the Company to complete more readily and economically its lines of railway; and the provisions of *The Railway Act* with reference to acquiring rights of way, lands and materials for the railway shall be applicable to such temporary tramways; and any expenditure of money by the Company upon such temporary tramways may, with the approval of the Governor in Council, be credited upon the amounts which the Company is required to expend within the time limited by this Act.

Who may contract with Company.

Proviso.

5. Notwithstanding anything contained in section 57 of *The Railway Act* the Company may make contracts for the construction of its railway and works, with a construction company or association, notwithstanding that any of the directors of the Company are connected with or interested in such construction company or association. Provided no such contract shall be valid until it has been approved by a majority of the shareholders of the Company present, or represented by proxy, at a special meeting of the Company duly called for the purpose of considering such contract.

Water powers.

Expropriation powers.

"Lands" and "water powers" defined.

6. The Company may, for the purposes of its undertaking, and along the line of its railway, acquire and utilize water powers, and dispose of surplus power either directly or by converting the same into electricity, and the Company may expropriate such water powers, and the necessary lands appertaining thereto and within the submerged boundaries thereof, as may be necessary for the full and complete development thereof.

2. When the Company and the owners or occupiers of property entered upon cannot agree as to the compensation for lands required for the construction or maintenance of any work authorized under this Act, or for damages to lands injured by the Company, the matter shall be settled in the same manner as is provided for obtaining title and fixing compensation under *The Railway Act*, so far as the same may be applicable.

3. In this section the expressions "lands" and "water powers" mean the lands and water powers the acquiring, taking or using of which is incident to the exercise of the powers given by this Act.

1899, c. 70, s. 7 repealed.

Time for construction extended.

7. Section 7 of chapter 70 of the statutes of 1899 is repealed, and in lieu thereof it is enacted that if at least one of the railway lines of the Company is not commenced, and at least fifteen per cent of the amount of its capital stock is not expended thereon, within three years from the passing of this Act, or if the railway authorized by section 3 of chapter 46 of the statutes of 1897 is not put into operation within seven years from the passing of this Act the powers conferred upon the Company shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

No. 38.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Hudson's Bay and North-west Railways Company, and to change its name to "The Great Northern Transit Company."

First reading, March 1, 1901.

(PRIVATE BILL.)

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 39.] **BILL.** [1901.

An Act to amend the Criminal Code, 1892.

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

1. The Criminal Code, 1892, is amended by inserting after section 455, the following sections: 1892, c. 29 amended.

"FORGERY OF COPYRIGHT.

"**455A.** The expression 'copyright' means the sole and exclusive right or liberty conferred upon, given to, had or held by any person by virtue of any law of copyright in force in Canada, of printing, reprinting, publishing, reproducing, multiplying or selling, in whole or in part, any manuscript, book, map, chart, plan or musical composition, either in the original language in which it was made or used, or in the form of a translation into another language, or any painting, drawing, etching, engraving, statue, sculpture or photograph. Copyright defined.

"**455B.** Every one is guilty of an indictable offence who, without the authority of the owner of the copyright, prints, reprints, publishes, reproduces, multiplies, sells, has in his possession, or exposes for sale, or causes to be printed, reprinted, published, reproduced, multiplied, sold or exposed for sale anything which is the subject of such copyright, unless he proves (*a*) that, having taken all reasonable precautions against committing such an offence, he had at the time of the commission of the alleged offence no reason to suspect the existence of copyright in the thing in respect of which the complaint is made; (*b*) that, on demand made by or on behalf of the prosecutor, he gave all the information in his power with respect to the persons from whom he obtained such thing; and (*c*), that otherwise he had acted innocently. Forgery of copyright. Defence.

"**455C.** Every one guilty of an offence defined in the next preceding section is liable, (*a*) upon conviction on indictment, to two years' imprisonment with or without hard labour, or to fine, or to both fihe and imprisonment, and (*b*) on summary conviction, to four months' imprisonment, with or without hard labour, or to a fine not exceeding $100, and in case of a second or subsequent conviction to six months' imprisonment, with or without hard labour, or to a fine not exceeding $250. Punishment.

"**455D.** In any case in which the offence has been committed the infringing copies shall be forfeited to the owner of the copyright." Forfeiture of infringing copies.

No. 39.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Criminal Code.

First reading, March 1, 1901.

MR. MCCARTHY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 40.] **BILL.** [1901.

An Act respecting the British Yukon Railway Company.

Preamble.

WHEREAS the British Yukon 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, enacts as follows:—

Extension of railway.

Branch lines.

1. The British Yukon Railway Company may extend its railway from a point at or near Fort Selkirk to a point at or near Dawson City and from a point at or near Dawson City westerly to the one hundred and forty-first meridian; and may also, with the consent of the Governor in Council, construct and operate branch lines not exceeding fifty miles in length.

1897, c. 89.
1900, c. 53.

2. The Act incorporating the said company, being chapter 89 of the statutes of 1897, and the Act amending the same, being chapter 53 of the statutes of 1900, and the powers contained in the said Acts, shall apply to the lines of railway authorized to be constructed under the provisions of this Act.

No. 40.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the British Yukon Railway Company.

First reading, March 5, 1901.

(PRIVATE BILL.)

MR. FRASER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 41.] **BILL.** [1901.

An Act respecting the Saskatchewan and Western Railway Company.

Preamble.

WHEREAS the Saskatchewan and Western Railway Company has, by its petition, represented that it was incorporated by an Act of the legislature of the province of Manitoba, being chapter 59 of the statutes of 1886, 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, declares and enacts as follows:—

Man., 1886, c. 59.

Declaratory.

1. In this Act the expression "the Company" means the body corporate and politic heretofore created by the Act mentioned in the preamble under the name of the Saskatchewan and Western Railway Company, and the works which the Company by its said Act of incorporation is empowered to undertake and operate are declared to be works for the general advantage of Canada.

Provincial Act not affected.

2. Nothing herein contained shall be construed in any way to affect or render inoperative any of the provisions of the said Act of incorporation which authorized the Company to undertake, own and operate the said works as aforesaid, but hereafter the said works shall be subject to the legislative authority of the Parliament of Canada and to the provisions of *The Railway Act*.

Head office.

3. The head office of the Company shall be in the city of Montreal, but the directors may, from time to time, by by-law, change it to any other place in Canada.

Time for construction extended.

4. The Company may construct and complete its railways and works within three years from the passing of this Act, provided that as to so much thereof as is not constructed within that period the powers of the Company shall cease and determine.

No. 41.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Saskatchewan and Western Railway Company.

First reading, March 5, 1901.

(PRIVATE BILL.)

MR. LA RIVIÈRE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 42.] **BILL.** [1901.

An Act respecting the Klondike Mines Railway Company.

Preamble.

WHEREAS the Klondike Mines 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:—

1899, c. 72 amended.

1. Section 14 of chapter 72 of the statutes of 1899 is repealed, and the following is substituted therefor:—

Time for construction extended.

"**14.** If the construction of the railway is not commenced, and fifteen per cent on the amount of the capital stock is not expended thereon, before the tenth day of July, nineteen hundred and three, or if the railway is not finished and put in operation before the tenth day of July, nineteen hundred and six, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted."

No. 42.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Klondike Mines Railway Company.

First reading, March 5, 1901.

(PRIVATE BILL.)

MR. FRASER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 43.] **BILL.** [1901.

An Act to incorporate "The St. Lawrence Lloyd's."

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. Francis H. Clergue and Ernest V. Clergue of Sault Ste. Marie, in the province of Ontario, Edward V. Douglas and Frank S. Lewis, of the city of Philadelphia, in the state of Pennsylvania, one of the United States, Honourable Robert Mackay, Honourable Raoul Dandurand, Hugh A. Allan, David Wm. Campbell, George E Drummond, Robert Reford and John Torrance, of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The St. Lawrence Lloyd's," 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, and they may forthwith open stock-books, procure subscriptions of stock for the undertaking, make calls on stock, subscribe and receive payments thereon, and they shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may do generally whatever 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. The shares of the capital stock subscribed for shall be paid as follows:—ten per cent at the time of subscription, and the remainder by such instalments as a majority of the directors determine, but at periods of not less than one month's interval, the first of which instalments shall not exceed twenty per cent and no subsequent instalment shall exceed ten per cent; and thirty days notice of each call shall be given by mailing such notice by a prepaid and registered letter to each shareholder at his last known residence; provided that the Company shall not commence the business of insurance authorized by this Act until one hundred thousand dollars of capital stock have been paid in cash into the funds of the Company under this Act; provided further that the amount so paid in by any shareholder Calls on stock. When business may be commenced.

shall not be less than ten per cent upon the amount subscribed by such shareholder.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec, but the directors may appoint local boards of directors and establish agencies for carrying on the business of the Company at any other place where the Company is authorized to transact business.

Agencies.

First general meeting.

5. As soon as one million dollars of the capital stock have been subscribed, and ten per cent of the amount subscribed paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at the city of Montreal, giving at least ten days' notice of the time and place of such meeting by registered letter sent post-paid to the last known address of each shareholder.

Election of directors.

2. At such meeting and at each annual meeting thereafter the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of directors, which shall consist of not less than seven nor more than fifteen members, a majority of whom shall be a quorum.

Qualification of directors.

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

Ocean marine insurance.

6. The Company may, in Canada and elsewhere, make and effect contracts of marine insurance with any person, against loss or damage of or to sea-going ships, boats, vessels, steamboats or other craft navigating the oceans or high seas or navigable waters from any port in Canada not above the harbour of Montreal to any other such port, or from one foreign port to another port, or for any British or foreign port to any port in Canada not above the harbour of Montreal, or elsewhere upon all or any of the oceans, seas or navigable waters aforesaid; and against any loss or damage of or to the cargoes or property conveyed in or upon such ships, boats, vessels, steamboats or other craft, and the freight due or to become due in respect thereof, or of or to timber or other property of any description conveyed in any manner upon any of the oceans, seas and navigable waters aforesaid, for such premiums or consideration and under such modifications and restrictions as may be agreed upon between the Company and the persons agreeing with the Company for such insurance; and the Company may insure itself against loss, damage or risk which it may incur in the course of its business, and generally may transact all such other business as is usually transacted by ocean marine insurance companies.

Fire insurance.

7. The Company may carry on the business of fire insurance as defined by *The Insurance Act*, upon complying with the provisions of the said Act, which shall thereupon apply to the Company.

Inland navigation and transportation.

8. The Company may carry on the business of inland navigation and transportation, and may also own, maintain

and navigate on the lakes and rivers of Canada ice breakers and wreck relieving steamers and other appliances for the same object; and the Company may undertake the work of raising, removing or relieving vessels which have been wholly or partially sunk, grounded or injured, and may carry on the usual business of a wrecking company, and collect charges therefor. Wrecking.

9. The Company may invest any of its funds in accordance with the terms of subsections 7, 8, 9 and 10 of section 50, and also with the terms of section 51 of *The Insurance Act*, and the Company may call in the said investments as occasion may require. Investment powers. R.S.C., c. 124.

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

11. The Company may acquire and hold such real estate in Canada and elsewhere, as is necessary for the purposes of its business, and again dispose thereof. Real property.

12. The Company may receive by grant from any government or person, as aid in the construction, equipment and maintenance of the vessels and works provided for in this Act as well as for the other purposes of the Company, any Crown lands, or any real or personal estate or property, or any sums of money, debentures or subsidies, either as gifts, by way of bonus or guarantee, or in payment or as subventions for services and may dispose of the same, and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act. Power to receive aid.

13. The policies of insurance issued by the Company shall be under the seal of the Company and shall be signed by the president or vice-president and contersigned by such officer as may be directed by the by-laws, rules and regulations of the Company, provided always that the seal of the Company may be printed or engraved on policies or other contracts if so ordered by the board. Form of policies.

14. Notwithstanding anything contained therein, *The Companies Clauses Act*, except sections 7, 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions herein contained. R.S.C., c. 118.

15. This Act shall expire and cease to be in force at the expiration of two years from the passing hereof unless the Company goes into actual operation within such two years. Act to expire by non-user of charter.

No. 43.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate "The St. Lawrence Lloyd's."

First reading, March 5, 1901.

(PRIVATE BILL.)

MR. GEOFFRION

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

[CORRECTED COPY.]

No. 43.] **BILL.** [1901.

An Act to incorporate the St. Lawrence Lloyd's.

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. Francis H. Clergue and Ernest V. Clergue of Sault Ste. Marie, in the province of Ontario, Edward V. Douglas and Frank S. Lewis, of the city of Philadelphia, in the state of Pennsylvania, one of the United States, Honourable Robert Mackay, Honourable Raoul Dandurand, Hugh A. Allan, David Wm. Campbell, George E. Drummond, Robert Reford and John Torrance, of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The St. Lawrence Lloyd's," 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, and they may forthwith open stock-books, procure subscriptions of stock for the undertaking, make calls on stock, subscribe and receive payments thereon, and they shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may do generally whatever 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. The shares of the capital stock subscribed for shall be paid as follows:—ten per cent at the time of subscription, and the remainder by such instalments as a majority of the directors determine, but at periods of not less than one month's interval, the first of which instalments shall not exceed twenty per cent and no subsequent instalment shall exceed ten per cent; and thirty days notice of each call shall be given by mailing such notice by a prepaid and registered letter to each shareholder at his last known residence; provided that the Company shall not commence the business of insurance authorized by this Act until one hundred thousand dollars of capital stock have been paid in cash into the funds of the Company under this Act; provided further that the amount so paid in by any shareholder Calls on stock. When business may be commenced.

shall not be less than ten per cent upon the amount subscribed by such shareholder.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec, but the directors may appoint local boards of directors and establish agencies for carrying on the business of the Company at any other place where the Company is authorized to transact business.

Agencies.

First general meeting.

5. As soon as one million dollars of the capital stock have been subscribed, and ten per cent of the amount subscribed paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at the city of Montreal, giving at least ten days' notice of the time and place of such meeting by registered letter sent post-paid to the last known address of each shareholder.

Election of directors.

2. At such meeting and at each annual meeting thereafter the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of directors, which shall consist of not less than seven nor more than fifteen members, a majority of whom shall be a quorum.

Qualification of directors.

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

Ocean marine insurance.

6. The Company may, in Canada and elsewhere, make and effect contracts of marine insurance with any person, against loss or damage of or to sea-going ships, boats, vessels, steamboats or other craft navigating the oceans or high seas or navigable waters from any port in Canada not above the harbour of Montreal to any other such port, or from one foreign port to another port, or for any British or foreign port to any port in Canada not above the harbour of Montreal, or elsewhere upon all or any of the oceans, seas or navigable waters aforesaid; and against any loss or damage of or to the cargoes or property conveyed in or upon such ships, boats, vessels, steamboats or other craft, and the freight due or to become due in respect thereof, or of or to timber or other property of any description conveyed in any manner upon any of the oceans, seas and navigable waters aforesaid, for such premiums or consideration and under such modifications and restrictions as may be agreed upon between the Company and the persons agreeing with the Company for such insurance; and the Company may insure itself against loss, damage or risk which it may incur in the course of its business, and generally may transact all such other business as is usually transacted by ocean marine insurance companies.

Fire, inland marine and transportation insurance.

7. The Company may carry on the business of fire, inland marine and inland transportation insurance as defined by *The Insurance Act*, upon complying with the provisions of the said Act, which shall thereupon apply to the Company.

Wrecking.

8. The Company may own, maintain and navigate on the lakes and rivers of Canada ice breakers and wreck re-

lieving steamers and other appliances for the same object; and the Company may undertake the work of raising, removing or relieving vessels which have been wholly or partially sunk, grounded or injured, and may carry on the usual business of a wrecking company, and collect charges therefor.

Investment powers.

9. The Company may invest any of its funds in accordance with the terms of subsections 7, 8, 9 and 10 of section 50, and also with the terms of section 51 of *The Insurance Act*, and the Company may call in the said investments as occasion may require.

R.S.C., c. 124.

Foreign securities.

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

Real property.

11. The Company may acquire and hold such real estate in Canada and elsewhere, as is necessary for the purposes of its business, and again dispose thereof.

Power to receive aid.

12. The Company may receive by grant from any government or person, as aid in the construction, equipment and maintenance of the vessels and works provided for in this Act as well as for the other purposes of the Company, any Crown lands, or any real or personal estate or property, or any sums of money, debentures or subsidies, either as gifts, by way of bonus or guarantee, or in payment or as subventions for services and may dispose of the same, and may alienate such of the said property as is not required for the purposes of the Company in carrying out the provisions of this Act.

Form of policies.

13. The policies of insurance issued by the Company shall be under the seal of the Company and shall be signed by the president or vice-president and contersigned by such officer as may be directed by the by laws, rules and regulations of the Company, provided always that the seal of the Company may be printed or engraved on policies or other contracts if so ordered by the board.

R.S.C., c. 118.

14. Notwithstanding anything contained therein, *The Companies Clauses Act*, except sections 7, 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions herein contained.

Act to expire by non-user of charter.

15. This Act shall expire and cease to be in force at the expiration of two years from the passing hereof unless the Company goes into actual operation within such two years.

No. 43.

1st Session, 9th Parliament, 1 Edward VII., 1901.

[CORRECTED COPY.]

BILL

An Act to incorporate the St. Lawrence Lloyd's.

First reading, March 5, 1901.

(PRIVATE BILL.)

MR. GEOFFRION

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 44.] **BILL.** [1901.

An Act respecting the Ottawa and Gatineau Railway Company, and to change its name to "The Ottawa, Gatineau and Western Railway Company."

Preamble.

WHEREAS the Ottawa and Gatineau 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:—

1894, c. 87; 1897, c. 58; 1899, c. 83.

Name changed.

1. The name of the Ottawa and Gatineau Railway Company, hereinafter called "the Company," is changed to "The Ottawa, Gatineau and Western 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.

Existing rights saved.

1894, c. 87 amended.

2. Section 24 of chapter 87 of the statutes of 1894 is amended by striking out the word "twenty" in the third line and inserting in lieu thereof the words "twenty-five."

Bond issue.

Section 26 amended.

Agreements with another company.

3. Section 26 of the said Act is amended by striking out the word "or" in the fifth line and inserting in lieu thereof the words "the Interprovincial Bridge Company, the Ottawa and New York Railway Company, the Ottawa Electric Railway Company, the Hull Electric Company and;" by striking out the word "purchasing" in the sixth line and inserting in lieu thereof the word "selling;" and by adding at the end of the said section the words "and the said companies may enter into such agreements on such terms and conditions as are agreed upon and subject to such restrictions as to the directors of the said companies seem fit."

Power to hold shares, etc., of other companies.

1888, c. 29, s. 39.

4. The Company may enter into any agreement with any of the companies mentioned in section 26 of the said Act for purchasing and holding the stock, shares, bonds or other securities issued by any of the said companies; and the provisions of section 39 of *The Railway Act* shall apply to stock issued in payment for any of the purposes mentioned in the said section 26.

Section 27 amended.

Right to exercise powers of amalgamated companies.

5. Section 27 of the said Act is amended by adding the following at the end thereof: "From the date of the said deed the Company shall be vested with, and shall possess, be entitled to, and be capable of having and exercising all the rights, franchises, powers, authorities, privileges, property, assets and credits of the said companies and each of them."

Powers of Company.

Property, etc., may be acquired for production of electricity.

Electricity.

Water powers.

Mining.

Buildings, etc.

Wood, pulp and paper.

Franchises and patent rights.

6. The Company may—

(*a.*) acquire, use and dispose of any property, water powers and other powers, rights, easements and privileges for the purpose of or in connection with the production, manufacture or supply of electricity for heat, light and power, and for any other purpose for which the same may be used;

(*b.*) produce, manufacture, use, supply and dispose of electricity for traction, light, heat and power, and for any other purpose for which the same may be used;

(*c.*) have free access to all rivers, streams or creeks at such places as it deems necessary or desirable, and draw off water for its purposes, and may construct such sluices, flumes and reservoirs as it considers necessary in connection therewith; provided that the navigation of such rivers, streams and creeks is not thereby injuriously interrupted;

(*d.*) locate, lease, acquire, work and sell mines, minerals, mining rights, timber and timber lands, and develop such mines, and crush, smelt, reduce, amalgamate and dispose of the ores and products of any mines, whether belonging to the Company or not; and acquire, use and dispose of all buildings, machinery and plant requisite or necessary for carrying on or operating the said mines;

(*e.*) acquire, erect, use, operate and dispose of buildings, mills, works and machinery for the manufacture of articles from wood, pulp, pulp wood, paper and other products from wood or wooden materials;

(*f.*) acquire, use and dispose of all franchises, letters patent, patent rights and inventions, and the right to use the same for the purpose of its work and undertaking.

No. 44.

1st Session, 9th Parliament, 1 Edward VI

BILL

An Act respecting the Ottav
Gatineau Railway Company,
change its name to "The
Gatineau and Western Railwa
pany."

First reading, March 5, 190

(PRIVATE BILL.)

MR. CHAMP

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Maj
1901

No. 45.] **BILL.** [1901.

An Act to amend the Pacific Cable Act, 1899.

WHEREAS by *The Pacific Cable Act*, 1899, the Governor in Council is authorized to guarantee payment of five-eighteenths of the principal sum of one million seven hundred thousand pounds sterling to be applied in establishing direct submarine telegraphic communication between Canada and Australasia; and whereas in lieu of the said sum of one million seven hundred thousand pounds it is estimated that for the purpose aforesaid there will be required a sum not exceeding two million pounds sterling, which sum of two million pounds the Government of the United Kingdom is willing to advance: 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. 3.

1. The Governor in Council is authorized to guarantee payment of five-eighteenths of the principal and interest of and upon the securities to be issued by the Government of the United Kingdom for raising the sum of two million pounds to be advanced as mentioned in the preamble, and to pay any amounts from time to time payable in respect of such guarantee out of any moneys forming part of the Consolidated Revenue Fund of Canada. Guarantee of payment of Canada's share.

2. Section 3 of *The Pacific Cable Act*, 1899, is repealed. 1899, c. 3, s. 3 repealed.

No. 45.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Pacific Cable Act, 1899.

First reading, March 5, 1901.

Mr. MULOCK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 46.] **BILL.** [1901.

An Act to amend the Unorganized Territories' Game Preservation Act, 1894.

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

1894, c. 31, s. 17 repealed.

1. Section 17 of *The Unorganized Territories' Game Preservation Act*, 1894, being chapter 31 of the statutes of that year, is repealed and the following is substituted therefor:—

Confiscation of animals, etc.

"**17.** All animals, birds, fish or eggs, or the pelt, skin or head of any animal, killed, trapped, snared or taken in violation of any provision of this Act, or any part of such animal, bird, fish, pelt, skin or head, shall, after the conviction of the person who so killed, trapped, snared or took the same, respectively, be confiscated to the Crown by the authority who made the conviction, who shall have power to declare the same so confiscated, and to order the sale or destruction thereof, and, if sold, the proceeds thereof shall be deposited and applied in the manner provided by section 15 of this Act; Provided that such convicting authority may give or direct any animal, bird, fish or egg so confiscated, or any part of such animal, fish or bird, to be given to any religious, charitable, or scientific institution or purpose, as in his discretion seems proper."

No. 46.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Unorganized Territories' Game Preservation Act, 1894.

First reading, March 6, 1901.

Mr. Sifton.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 47.] **BILL.** [1901.

An Act to amend the Act to restrict the Importation and Employment of Aliens

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

1897, c. 11, new s. 3.

1. Section 3 of chapter 11 of the statutes of 1897 is repealed, and the following is substituted therefor:—

Penalty.

"**3.** For every violation of any of the provisions of section 1 of this Act, the person, partnership, company or corporation violating it by knowingly assisting, encouraging or soliciting the immigration or importation of any alien or foreigner into Canada to perform labour or service of any kind under contract or agreement, express or implied, parole or special, with such alien or foreigner, previous to his becoming a resident in or a citizen of Canada, shall forfeit and pay a sum not exceeding one thousand dollars, nor less than fifty dollars, which, with the written consent of the Attorney General of the province in which the action is to be brought, or with the written consent of any judge of the court in which the proposed action is intended to be brought, may be sued for and recovered by any person who first brings his action therefor as debts of like amount are now recovered in any court of competent jurisdiction in Canada, the proceeds to be paid into the hands of the Receiver General; and separate suits may be brought for each alien or foreigner who is a party to such contract or agreement."

Mode of recovery.

Section 5 amended.

2. Section 5 of the said Act is amended by striking out the words "or personal friend" in the seventeenth line thereof.

Section 6 amended.

3. Section 6 of the said Act is amended by striking out the words "at the expense of the person previously contracting for the services" in the seventh and eighth lines thereof, and inserting in lieu thereof the words "at the expense of the person, partnership, company or corporation violating section 1 of this Act."

New section 8.

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

Promise of employment through advertisement is violation of Act.

"**8.** It shall be deemed a violation of this Act for any person, partnership, company or corporation to assist or encourage the importation or immigration of any person who resides in, or is a citizen of, any foreign country to which this Act applies, by promise of employment through advertisements printed or published in such foreign country; and any such person coming

to this country in consequence of such an advertisement shall be treated as coming under a contract as contemplated by this Act, and the penalties by this Act imposed shall be applicable in such case."

Section 9 amended.

5. Section 9 of the said Act, as amended by section 1 of chapter 2 of the statutes of 1898, is amended by repealing the first subsection and substituting the following therefor:—

Application of Act.

"**9.** This Act shall apply only to the importation or immigration of such persons as reside in or are citizens of such foreign countries as have enacted and retained in force, or as enact and retain in force, laws or ordinances applying to Canada, of a character similar to this Act."

Powers of Government not affected.

6. Nothing in the said Act shall affect the exercise of the powers of the Government of Canada or of any province in connection with the promotion of immigration.

No. 47.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Act to restrict the Importation and Employment of Aliens.

First reading, March 7, 1901.

SIR WILFRID LAURIER.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 48.] **BILL.** [1901.

An Act respecting the Edmonton, Yukon and Pacific Railway Company.

Preamble.

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

Declaratory.

1. George McAvity, Thomas McAvity, George W. Jones and Franklin Stetson, all of the city of Saint John, in the province of New Brunswick; James Robinson, of Newcastle, in the province of New Brunswick; Benjamin F. Pearson and William B. Ross, of Halifax, in the province of Nova Scotia, are declared to be the shareholders of the Edmonton, Yukon and Pacific Railway Company and to be invested with and entitled to all powers, privileges and rights of the Edmonton District Railway Company.

Proceedings of shareholders and directors confirmed.

2. The proceedings of the shareholders and directors of the Edmonton District Railway Company and of the Edmonton, Yukon and Pacific Railway Company are ratified, legalized and confirmed, and nothing in this Act contained shall be held or construed to vary any of the conditions contained in an indenture made the sixteenth day of December, one thousand eight hundred and ninety-seven, between the Edmonton District Railway Company, the municipality of the town of Edmonton and the Honourable William Pugsley, or in a certain other indenture made the twentieth day of June, one thousand eight hundred and ninety-eight, between George McAvity, Thomas McAvity, George W. Jones, James Domville, Franklin Stetson, James Robinson, Allan Haley, Benjamin F. Pearson and William B. Ross, the municipality of the town of Edmonton and the Edmonton District Railway Company.

Agreement with Canadian Northern Ry.

3. The Company may enter into an agreement with the Canadian Northern Railway Company for conveying or leasing to that company, in whole or in part, any rights or powers acquired under the Acts relating to the Company, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon and subject to such restrictions as to the directors of each of the said companies seem fit; provided that such agreement has been first approved by two-thirds of the votes at special general meetings of the shareholders of each of the said companies

Approval of shareholders and Governor in Council.

duly called for the purpose of considering such agreement, at which meetings shareholders representing at least two-thirds in value of the stock of each of the said companies are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Time for construction extended.

4. The times limited for the commencement and completion of the railway of the Edmonton, Yukon and Pacific Railway Company are extended for two and five years, respectively, from the passing of this Act, and if the said railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within the said two years, or if the railway is not finished and put in operation within the said five years, then the powers granted by Parliament for such construction shall cease and be null and void as respects so much of the railway as then remains uncompleted.

No. 48.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Edmonton, Yukon and Pacific Railway Company.

First reading, March 8, 1901.

(PRIVATE BILL.)

MR. OLIVER.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 49.] **BILL.** [1901.

An Act respecting the Niagara, St. Catharines and Toronto Railway Company.

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

Agreement with another company.

1. The Niagara, St. Catharines and Toronto Railway Company may acquire by agreement of lease or purchase, on such terms as may be agreed on respectively with the Niagara Falls, Wesley Park and Clifton Tramway Company or the Port Dalhousie, St. Catharines and Thorold Electric Railway Company, Limited, or the Hamilton, Grimsby and Beamsville Electric Railway Company, or any other electric railway company with whose authorized lines the authorized lines of the Niagara, St. Catharines and Toronto Railway Company may join or intersect (if and when such companies respectively are lawfully authorized to enter into such agreement), the undertakings, rights, franchises, powers, lines, assets and properties, real and personal, of such companies respectively, and may construct, operate and maintain the same; but no such agreement shall prejudice or effect the rights of creditors or persons having claims against or contracts with any of the said companies, and every such agreement shall be subject to the rights, positions and powers of any municipal corporation under any statute, by-law, agreement or otherwise, all of which rights, positions and powers may be exercised and enforced as against and with respect to the Niagara, St. Catharines and Toronto Railway Company and the undertakings, rights, franchises, powers, lines, assets and properties so acquired by it, in the same manner and to the same extent and as fully as they could or might be exercised and enforced as against and with respect to the company entering into such agreement and its undertakings, rights, franchises, powers, lines, assets and properties.

Existing rights saved.

Agreement to be approved by shareholders of each company and by Governor in Council.

2. No agreement made under the authority of this Act shall be acted on unless and until it has been first approved by two-thirds of the votes of the respective parties thereto at special general meetings of the shareholders of each party duly called for the purpose of considering it,—at which meetings shareholders representing at least two-thirds in value of the stock are present or represented by proxy,—and that such agreement has also received the sanction of the Governor in Council, but upon such approvals being given the said agreement shall be valid and binding according to its terms, and may be acted upon and carried out.

No. 49.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the Niagara, St Catharines and Toronto Railway Company.

First reading. March 8, 1901.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 50.] **BILL.** [1901.

An Act to incorporate the Canadian Mutual Aid Society.

Preamble.

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

Incorporation.

1. G. F Clark, A. A. Leslie, W. H. Davis and Frederick Egglestone, of the town of Aylmer, J. H. Radford of the town of Walkerville, H. H. Sanderson and H. C. Maisonville, of the city of Windsor, and Earnest Girardot and Earnest Girardot, junior, of the town of Sandwich, in the province of Ontario, together with such persons as become shareholders in the guarantee fund hereinafter provided for, and who in the following provisions of this Act are called "the guarantors," and such persons as become members of the society hereby incorporated, are constituted a body corporate under the name of "The Canadian Mutual Aid Society," hereinafter called "the Society."

Corporate name.

Objects of society.

2. The objects of the Society and the purposes for which it is incorporated and which it is authorized to carry out, are to establish and maintain by means of assessments on all its members a benefit fund for the relief of its members in sickness or disability and accident, and generally to transact the business of insurance against sickness, disability and accident, on the assessment plan, with all such powers and rights as are necessary or incidental to such purposes

Head office.

Local agencies.

3. The head office of the Society shall be in the city of Windsor, Ontario, but its location may be changed to any other place in Canada at any special meeting called for that purpose, and the Society may have local agencies throughout Canada.

Guarantee fund.

4. Before any policies are issued a guarantee fund of at least five thousand dollars, divided into shares of one hundred dollars each, shall be subscribed, and at least twenty per cent paid thereon in cash, which guarantee fund shall be liable for the payment of losses and may be deposited with the Minister of Finance and Receiver General for that purpose.

How fund redeemable.

2. The said guarantee fund shall be redeemable by the Society out of any reserve fund, surplus or other funds properly available for that purpose, at such times and upon such terms

as are determined by the directors and until redemption the directors may pay to the holders of shares in such guarantee fund interest upon the amounts paid up at such rate, not exceeding eight per cent, as is agreed upon.

Provisional directors.

5. The persons named in section 1 of this Act shall be the provisional directors of the Society, and a majority of them shall form a quorum, and they shall open books for the subscription of the guarantee fund.

Election of directors.

2. As soon as the necessary subscriptions to the said guarantee fund have been received the provisional directors shall call a meeting of the guarantors from whom there shall be elected a board of six directors, a majority of whom shall form a quorum.

Annual general meeting.

6. For the election of six directors, a majority of whom shall form a quorum, a general meeting of the members of the Society and of the guarantors shall take place yearly thereafter, at such time and place and upon such notice as is provided for in the by-laws, at which meeting a statement of the affairs of the Society shall be submitted; and until the redemption of the guarantee fund as provided in section 4 of this Act, four of the said directors shall be elected by the guarantors, and two by the members other than the guarantors present at the meeting, and at such meeting any other business may be transacted that is deemed necessary or expedient, and any guarantor or member otherwise qualified shall be eligible to be elected a director.

Officers.

7. The directors shall, from time to time, elect from among themselves a president, vice president and a managing director, and may also appoint and remove at pleasure all other officers, agents and servants of the Society, and the said directors shall

Powers of directors.

in all things administer the affairs of the Society, and may make by-laws from time to time, prescribing and fixing the qualifications, duties, powers and remuneration of the directors, the accumulating of a reserve and emergency fund, the voting power of the guarantors and of the other members respectively, the filling of vacancies in the board, the issue and registration of certificates of shares in the said guarantee fund, the forfeiture of such shares for non-payment, the disposal of forfeited shares and of the proceeds thereof, the transfer of shares in the said fund, the government, regulation and management of the Society, and the admission of members; and generally may make such by-laws as are proper and necessary for the purposes of the Society, and the directors may from time to time repeal, amend or re-enact such by-laws, but every such by-law and every repeal, amendment or re-enactment thereof, unless it is in the meantime confirmed at a general meeting of the Society, duly called for that purpose, shall have force only until the next annual meeting of the Society, and in default of confirmation thereat, shall, at and from that time only, cease to have force.

Qualification of directors.

8. No guarantor who is in arrears with respect to any call on any share held by such guarantor shall be qualified to be elected a director, or entitled to vote at any meeting of the Society.

9. The directors may, for the purposes of the Society, make calls upon the guarantors for such amounts, and at such time as they see fit, and interest shall be payable upon calls from the day upon which they shall become due; but no guarantor as such shall be responsible for any act, default or liability of the society or for any engagement, claim, payment, loss, injury, transaction, matter or thing relating to or in connection with the society, beyond the amount unpaid on his shares in the said guarantee fund; and the directors may also from time to time make assessments and calls upon the members, and fix the amounts, and the times and manner of payment of such assessments and calls, and may also provide conditions upon which in case of non-payment of any assessments, calls or dues by any member the membership of such member shall cease, and he shall have no claim upon the property or assets of the Society. Calls.

10. No share in the said guarantee fund shall be transferred until all calls thereon have been paid, but any shares forfeited for non-payment of the calls thereon may be re-issued by the society. Transfer of shares.

11. The surplus funds of the Society shall be invested in securities which are a first charge on land in fee simple in Canada, or on deposit with or in debentures of municipal or school corporations or in securities of Canada, or of any of the provinces thereof, or shall remain deposited at interest in the name of the Society in any chartered bank, but the Society shall sell such real estate and property as it acquires by foreclosure of any mortgage or lien within seven years after it has been so acquired, otherwise it shall revert to the previous owner or to his heirs or assigns. Suplus funds to be invested.

12. Upon every policy issued by the society shall be printed so much of any by-laws, rules and regulations of the Society as relate to membership and the conditions of membership, and so long as such conditions, or any amendments and any other conditions authorized thereby, are complied with the policy holder shall remain a member of the Society, and shall enjoy all the benefits and privileges of membership. Policies. Policy holders.

13. Notwithstanding anything contained in *The Companies Clauses Act*, sections 5, 8, 12, 14, 35 and 40 of the said Act shall apply to the Society, in so far as they are not inconsistent with any of the provisions contained in this Act. R.S.C., c. 118.

14. The Society, and the exercise by it of the powers hereby conferred, shall be subject to the provisions of *The Insurance Act*. R.S.C., c. 132.

No. 50.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Canadian Mutual Aid Society.

First reading, March 8, 1901.

(PRIVATE BILL.)

MR. SUTHERLAND.
(Essex.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

N° 50.] **BILL.** [1901.

Acte constituant en corporation la Société Canadienne de Secours Mutuels.

Préambule.

CONSIDÉRANT que les personnes ci-dessous dénommées ont demandé, par leur requête, qu'il soit statué ainsi qu'il est ci-dessous énoncé, et qu'il est à propos d'accéder à cette demande: A ces causes, Sa Majesté, par et avec l'avis et le consentement du Sénat et de la Chambre des Communes du Canada, décrète ce qui suit:

Constitution.

1. G. F. Clark, A. A. Leslie, W. H. Davis et Frederick Egglestone, de la ville d'Aylmer, J. H. Radford, de la ville de Walkerville, H. H. Sanderson et H. C. Maisonville, de la cité de Windsor, Ernest Girardot et Ernest Girardot, fils, de la ville de Sandwich, dans la province d'Ontario, ainsi que les personnes qui deviendront actionnaires du fonds de garantie ci-après prévu, et qui dans les dispositions suivantes du présent acte sont appelées "les garants," et les personnes qui deviendront membres de la société par le présent constituée, sont constitués en corporation sous le nom de "La Société Canadienne de Secours Mutuels," ci-après appelée "la société."

Nom corporatif.

Objets de la société.

2. Les objets de la société et les fins pour lesquelles elle est constituée, et qu'elle est autorisée à poursuivre, sont d'établir et maintenir, au moyen de cotisations imposées à tous ses membres, une caisse de bienfaisance pour secourir ses membres dans les cas de maladie, d'incapacité et d'accident, et de faire généralement les opérations d'assurance contre la maladie, l'incapacité et les accidents, d'après le système de répartition, avec tous les pouvoirs et droits nécessaires ou inhérents à ces fins.

Bureau central.

Succursales locales.

3. Le bureau central de la société sera établi en la cité de Windsor, Ontario, ou en tel autre endroit du Canada qui sera fixé à toute assemblée spéciale convoquée pour cette fin, et la société pourra avoir des succursales locales dans tout le Canada.

Fonds de garantie.

4. Avant qu'aucune police ne soit délivrée, il devra être souscrit un fonds de garantie d'au moins cinq mille piastres, divisé en actions de cent piastres chacune, et il devra en être versé au moins vingt pour cent en argent; et ce fonds de garantie servira au paiement des pertes et pourra être déposé entre les mains du ministre des Finances et Receveur général pour cette fin.

Comment ce fonds sera rachetable.

2. Le fonds de garantie sera rachetable par la société à même tout fonds de réserve, excédent ou autres fonds régulièrement disponibles à cette fin, aux époques et aux conditions que les directeurs fixeront; et jusqu'à son rachat les directeurs pourront

payer aux porteurs d'actions de ce fonds de garantie un intérêt sur les montants versés, au taux, n'excédant pas huit pour cent, qui sera convenu.

Directeurs provisoires.

5. Les personnes dénommées au premier article du présent acte seront les directeurs provisoires, dont une majorité constituera un quorum, et elles ouvriront des livres pour la souscription du fonds de garantie.

Election des directeurs.

2. Aussitôt qu'on aura reçu les souscriptions nécessaires à ce fonds de garantie, les directeurs provisoires convoqueront une assemblée des garants, parmi lesquels il sera élu un conseil de six directeurs, dont une majorité constituera un quorum.

Assemblée générale annuelle.

6. Une assemblée générale des membres de la société et des garants pour l'élection de six directeurs, dont une majorité constituera un quorum, aura lieu chaque année par la suite, à l'époque et à l'endroit fixés et après l'avis prescrit par les règlements, et un état des affaires de la société y sera soumis ; et jusqu'au rachat du fonds de garantie, ainsi que prévu à l'article 4 du présent acte, quatre de ces directeurs seront élus par les garants, et deux par les membres, autres que les garants, présents à l'assemblée. On pourra à cette assemblée expédier toute autre affaire qui sera jugée nécessaire ou utile, et tout garant ou membre, ayant autrement qualité, pourra être élu directeur.

Officiers.

7. Les directeurs éliront parmi eux, de temps à autre, un président, un vice-président et un directeur-gérant, et ils pourront aussi nommer et démettre, à volonté, tous autres officiers,

Pouvoirs des directeurs.

agents et serviteurs de la société. Ces directeurs administreront en toutes choses les affaires de la société, et ils pourront, au besoin, faire des règlements prescrivant et fixant les qualités, fonctions, pouvoirs et rémunérations des directeurs, la formation d'une caisse de réserve et d'éventualité, le pouvoir de voter des garants et des autres membres respectivement, la nomination aux emplois vacants dans le conseil, l'émission et l'enregistrement des certificats d'actions dans le dit fonds de garantie, la confiscation de ces actions par suite de non-paiement, la manière de disposer des actions confisquées et de leur produit, le transfert des actions dans le dit fonds, le gouvernement, la conduite et l'admission des membres, et faire généralement les règlements qui seront à propos et nécessaires pour les besoins de la société ; et ils pourront aussi, au besoin, abroger, modifier ou décréter de nouveau ces règlements, mais chaque tel règlement, et chaque abrogation, modification ou rétablissement de ce règlement, à moins qu'il ne soit dans l'intervalle ratifié à une assemblée générale de la société régulièrement convoquée dans ce but, n'aura d'effet que jusqu'à la prochaine assemblée annuelle de la société, et s'il n'est pas alors ratifié, il cessera d'avoir effet, lors et à compter de ce moment seulement.

Eligibilité des directeurs.

8. Nul garant qui se trouvera en arrière relativement à quelque appel sur toute action qu'il possédera, n'aura qualité pour être élu directeur, ou n'aura droit de voter à aucune assemblée de la société.

9. Les directeurs pourront, pour les besoins de la société, faire aux garants des appels de versement des sommes et aux époques qu'il jugeront à propos, et l'intérêt sera payable sur ces appels à compter du jour qu'ils deviendront dus; mais nul garant ne sera responsable d'aucun acte, faute ou dette de la société, ni d'aucun engagement, réclamation, paiement, perte, dommage, affaire, matière ou chose ayant trait ou se rapportant à la société, au delà du montant impayé sur ses actions dans le dit fonds de garantie; et les directeurs pourront aussi, au besoin, faire des répartitions et appels aux membres, et fixer les montants, les époques et le mode de paiement de ces répartitions et appels, et ils pourront également prescrire les conditions d'après lesquelles, dans le cas de non-paiement de quelque répartition, appel ou contribution par quelque membre, ce membre cessera de faire partie de la société, et il n'aura aucune réclamation contre les propriétés ou l'actif de la société. Appels de versements.

10. Nulle action dans ce fonds de garantie ne sera transférée avant que tous les appels n'aient été payés, mais la société pourra émettre de nouveau toute action confisquée par suite de la non-opération des versements. Transfert des actions.

11. L'excédent des fonds de la société sera placé en garanties portant première hypothèque sur propriétés foncières tenues en franc-alleu en Canada, ou en dépôts entre les mains de corporations municipales ou scolaires, ou en débentures de ces corporations, ou en effets publics du Canada ou d'aucune des provinces, ou restera en dépôt portant intérêt au nom de la société dans toute banque à charte; mais la société vendra les immeubles et propriétés qu'elle acquerra par forclusion de toute hypothèque ou gage, dans les sept années qui suivront cette acquisition, autrement elles retourneront à leur propriétaire antérieur, ou à ses héritiers ou ayants droit. L'excédent des fonds sera placé.

12. Il sera imprimé sur chaque police délivrée par la société la partie des règles et règlements qui ont trait aux membres ou aux conditions pour devenir membres de la société, et tant que ces conditions, ou toutes modifications et toutes autres conditions y autorisées seront observées, le porteur de la police continuera d'être membre de la société et jouira de tous les avantages et privilèges qui en découlent. Polices. Porteurs de police.

13. Nonobstant tout ce que contient l'*Acte des clauses des compagnies*, les articles 5, 8, 12, 14, 35 et 40 du dit acte s'appliqueront à la société, en tant qu'elles ne sont incompatibles avec aucune des dispositions ci-dessus contenues. S.R.C., c. 118.

14. La société et l'exercice des pouvoirs qui lui sont par le présent conférés, seront assujétis aux dispositions de l'*Acte des assurances*. S.R.C., c. 124.

N° 50.

1re Session, 9me Parlement, 1 Edouard VII, 1901

BILL.

Acte constituant en corporation la Société Canadienne de Secours Mutuels.

Première lecture, 8 mars 1901.

(BILL PRIVÉ.)

M. SUTHERLAND,
(Essex.)

OTTAWA
Imprimé par S. E. DAWSON
Imprimeur de Sa Très Excellente Majesté le Roi
1901

No. 51] **BILL.** [1901.

An Act to incorporate the Clergue Iron and Nickel-Steel Comp ny 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. Francis H. Clergue, of Sault Ste. Marie, in the Province of Ontario; Edward V. Douglas and Frank S. Lewis, of the city of Philadelphia, in the state of Pennsylvania, one of the United States; Honourable Raoul Dandurand, Andrew Frederick Gault, George E. Drummond and William Hanson, of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of the "Clergue Iron and Nickel-Steel Company of Canada," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act are constituted provisional directors of the Company, of whom a majority shall be a quorum, and they may open stock books and procure subscriptions of stock, and shall deposit payments thereon in a chartered bank in Canada, and withdraw the same for the purposes of the Company only. Provisional directors.

3. The head office of the Company shall be at the town of Sault Ste. Marie, in the province of Ontario, or at such other place in Canada as the directors may, by by-law, from time to time determine. Head office.

4. The capital stock of the Company shall be ten million dollars, divided into shares of one hundred dollars each, and the directors may, by by-law, issue any part of the said capital stock not exceeding fifty per cent thereof, as preference shares upon such terms as to priority, privileges, dividends, redemption and other conditions as the said by-law provides; but such by-law shall only come into force upon being sanctioned by a vote of the shareholders representing at least two-thirds of the issued capital stock of the Company present or represented by proxy at a generel meeting duly called for considering such by-law. Capital stock. Preference shares.

2. After the whole of the capital stock of the Company has been issued and fifty per cent paid up thereon, the capital stock may be increased from time to time to an amount not exceeding twenty million dollars, by a resolution of the shareholders approved of by votes of the holders of at least two-thirds in Increase of capital.

value of the subscribed stock of the Company present or represented by proxy at a special general meeting of the shareholders duly called for the purpose of considering such resolution, and such increased capital shall be issued and may be held subject to the same conditions and dealt with in the same manner as the original capital of the Company.

First meeting of shareholders.

5. As soon as twenty-five per cent of the capital stock has been subscribed and ten per cent of the amount subscribed has been paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at such time and place, in the province of Ontario or of Quebec, as they think proper; and notice of such meeting shall be given by mailing, at least ten days before the holding of such meeting, a written notice of the time and place, postage prepaid and registered to the address of each shareholder.

Election of directors.

6. At the first general meeting of the Company, and at each annual meeting thereafter, the subscribers of the capital stock present or represented by proxy, who have paid all calls due on their shares, shall choose not less than five nor more than eleven persons to be directors of the Company, a majority of whom shall be a quorum and one or more of whom may be paid directors.

General powers.

7. The Company may—

Iron, nickel, etc.

(*a*) manufacture and deal in iron, steel and nickel;

Mines, timber, etc.

Plant, etc.

(*b*) acquire and operate coal, iron, nickel and other mines, timber limits and other sources of fuel supply; acquire, construct and operate furnaces, foundries, rolling mills and other machinery appliances and works for the treatment of ores and metals under all forms;

Charcoal and wood.

(*c*) manufacture charcoal and by-products, coke and by-products, and deal in wood and the products thereof;

Bridges, cars, ships, etc.

(*d*) carry on the business of engineers and contractors for the manufacture and building of iron and steel railway and highway bridges, cars and locomotives, steamships or other water craft, buildings and other structures as well as all matters arising out of the aforesaid industries throughout Canada.

Special powers.

2. The Company may also, so far as is necessary for its purposes—

Patent rights.

Water powers.

Property.

(*a* acquire patent rights, letters patent of invention, processes, options, water powers and other rights and privileges, and real property and other personal property, and again dispose thereof;

Telegraphs, telephones, works, etc.

(*b*) construct, operate and dispose of tramways, telegraph and telephone lines, water powers, piers, wharfs, smelting works, refineries and other factories;

Vessels.

(*c*) construct, acquire, navigate and dispose of steam and other vessels for the purpose of transporting ores, coal, coke and other necessaries required for the business of the Company, and also for shipping the products of the mills, furnaces, mines and works;

Issue of paid up stock.

(*d*) issue paid up shares of the capital stock of the Company for lands, materials for building purposes, machinery, tools,

appliances, real and personal property, contracts, claims, mining location privileges, patents of invention, or other rights;

(*e*) acquire the business, good-will and property of any other company having objects wholly or in part similar to those of the Company, or an interest therein, and pay the price thereof wholly or partly in cash, or wholly or partly in fully paid-up shares, or in partly paid-up shares of the Company, and also undertake, assume, pay or guarantee any of the obligations or liabilities connected therewith; and may enter into working and other agreements and arrangements with any person or any municipal corporation. Acquire business of other companies.

8. The Company may, for the purposes of the undertaking, construct and operate such railway sidings, switches or spur lines, not exceeding six miles in length, as are necessary to connect the property of the Company with the line of any railway company incorporated by Parliament. Railway sidings.

9. The directors, under the authority of a resolution of the shareholders passed at any special meeting called for the purpose, or at any annual meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, may, from time to time at their discretion, borrow moneys for the purposes of the Company, and secure the re-payments of the said moneys in such manner and upon such terms and conditions as they see fit, and for such purpose may mortgage, pledge, hypothecate or charge the assets and property of the Company. Borrowing powers.

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

10. The Company may receive, either by grant from any government or from any corporation or person, as aid in the construction of any of the works authorized by this Act, any Crown lands, property, sums of money or debentures, as gifts or by way of bonus, and may dispose thereof, and may alienate the same for the purposes of the Company in carrying out the provisions of this Act. Power to receive aid.

11. This Act shall expire and the charter hereby granted shall cease to be in force by non-user for two consecutive years, or if the Company does not go into actual operation within the term of three years from the passing of this Act. Charter to expire by non-user.

12. Sections 7, 18 and 39 of *The Companies Clauses Act* shall not apply to the Company. R.S.C., c. 118.

No. 51.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Clergue Iron and Nickel-Steel Company of Canada.

First reading, March 8, 1901.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 52.] **BILL.** [1901.

An Act respecting the Vancouver and Lulu Island Railway Company.

Preamble.

WHEREAS the Vancouver and Lulu Island Railway Company has, by its petition, represented that it was incorporated by an Act of the legislature of the province of British Columbia, being chapter 60 of the statutes of 1891, 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, declares and enacts as follows:—

1891, c. 60.

Declaratory.

1. In this Act the expression "the Company" means the body corporate and politic heretofore created by the Act mentioned in the preamble under the name of the Vancouver and Lulu Island Railway Company; and the works which the Company is empowered to undertake and operate are declared to be the works for the general advantage of Canada.

Provincial Act not affected.

2. Nothing herein contained shall be construed in any way to affect or render inoperative any of the provisions of the said Act of incorporation which authorized the Company to undertake, own and operate the said works as aforesaid; but hereafter they shall be subject to the legislative authority of the Parliament of Canada, and the provisions of *The Railway Act*.

Branch lines.

3. The Company may construct or acquire and may operate such branch lines from any railway which it is at any time authorized to construct, not exceeding in any one case thirty miles in length, as are from time to time authorized by the Governor in Council.

Time for completion extended.

4. The Company may complete its railways and works within five years from the passing of this Act; provided that as to so much thereof as is not completed within that period the powers of the Company shall cease and determine

Telegraph and telephone lines.

5. The Company may construct and operate telegraph and telephone lines along its railway and branches, and may also construct or acquire any lines of telegraph or telephone connected with the lines so to be constructed along the said railway and branches, and may transmit messages for the public by any such lines of telegraph or telephone and collect tolls therefor, or may lease or otherwise dispose of such lines or any portion thereof.

Vessels for transportation.

6. The Company may construct or acquire steam and other vessels suitable for passengers and freight traffic and operate them on any water route connecting its railway with any place in British Columbia,

Works, lands, etc.

7. The Company may own and operate warehouses, mines, smelters, concentrators, reduction works, timber lands, wharfs, roads, docks, saw mills, water rights, dams, flumes, water power and such appliances and conveniences connected therewith as the Company thinks proper ; and may generate, transmit and deal in electricity and electric power.

Head office.

8. The head office of the Company shall be in the city of Montreal, but the directors may from time to time, by by-law, change it to any other place in Canada.

Agreement with C. P. R.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

9. The said works of the Company, or any part thereof, may be leased or sold to the Canadian Pacific Railway Company, on such terms and conditions as are agreed upon between the directors of the two companies ; provided that such lease or sale has been first sanctioned by the consent in writing of every shareholder of the Company, and by the Governor in Council ; or, failing such consent of every shareholder, by two-thirds of the votes of the shareholders present or represented by proxy at a special general meeting duly called for the purpose, and by the approval of the Governor in Council, after notice of the proposed application therefor has been published in *The Canada Gazette*, and also in a newspaper published at Vancouver, British Columbia, for at least four weeks previous to the hearing of such application.

No. 52.

1st Session, 9th Parliament, 1 Edward V

BILL

An Act respecting the Vancou
Lulu Island Railway Compa

First reading, March 8, 19

(PRIVATE BILL.)

MR MA

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Ma
1901

No. 53.] **BILL.** [1901.

An Act respecting the Manitoba and North-west Loan Company (Limited)

Preamble.

WHEREAS the Manitoba and North-west Loan Company (Limited) 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:—

Power to wind up Company's business.

1. The Manitoba and North-west Loan Company (Limited), hereinafter called "the Company," may authorize its directors to wind up the Company's affairs, and the Company shall thereupon cease to carry on business, and the directors upon such authorization may collect, get in, dispose of and realize all the assets of the Company.

Application of assets.

To pay debtors.

2. As the moneys are received from the collection, realizing and disposal of such assets, they shall be appropriated first to the payment of the debenture and other debts then due, and to forming a fund sufficient to pay all the remaining debenture and other debts of the Company as they may from time to time fall due.

To pay shareholders.

3. After the debenture and other debts of the Company have been paid and provided for as aforesaid, the moneys thereafter collected and got in as aforesaid, shall from time to time be distributed rateably among the shareholders of the Company according to the amounts duly paid up on the then outstanding and existing shares of the capital stock held by them respectively.

Amount not claimed may be paid into court.

4. If any shareholder (including any one under legal or other disability) whose name appears on the register of shareholders omits to claim his share of the assets within three calendar months after an advertisement has been published not less than four times in at least two newspapers published in the city of Toronto, calling upon such shareholder to come in and claim his share, stating the amount thereof, and where such share can be applied for, the Company shall pay the amount to which such shareholder is entitled into the Supreme Court of Judicature for Ontario, to the credit of such shareholder, and thereupon such shareholder, his executors, administrators or assigns shall thereafter cease to have any right or interest in the Company or in any of the assets thereof.

Company's books may be destroyed.

5. At the expiration of three calendar months after the payment of all the liabilities of the Company and the distribution of the remaining assets to the shareholders, the directors may, after advertising in the manner aforesaid, in at least two newspapers published in the city of Toronto, their intention to destroy the books, documents and other papers of the Company, destroy the same, provided that no shareholder has, by written notice, protested against such action. But if any shareholder serves upon the president or vice-president of the Company any written protest, the Company may apply to any judge of the said Supreme Court of Judicature who, with or without notice, or after or without hearing the person so protesting, may make an order either staying the destruction of the said books, documents or other papers for the period named in such order, or authorizing the immediate destruction thereof.

Court may stay order.

No. 53.

1st Session, 9th Parliament, 1 Edward VII, 1901

BILL.

An Act respecting the Manitoba and North-west Loan Company (Limited).

First reading, March 8, 1901.

(PRIVATE BILL.)

MR. BRITTON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No 54] **BILL.** [1901.

An Act to incorporate the Fort Qu'Appelle Railway Company.

Preamble.

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

Incorporation.

1. Cuthbert Lionel Fetherstonhaugh, Robert Williams, Henry Hawkesworth Hayward, William Hall, John McLellan, Aubrey Murray Rooke, John Malcolm Boyles, Frederick Stephen Proctor, Donald Hogarth McDonald, James Dillon, Thomas Edward Baker and Charles Payne, all of the village of Qu'Appelle, in the North-West Territories, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Fort Qu'Appelle Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

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

Head office.

4. The head office of the Company shall be in the village of Qu'Appelle, Assiniboia.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the first day of September in each year.

Election of directors.

6. At such meeting the subscribers for the capital stock assembled who have paid all calls due on their shares shall choose seven persons to be directors of the Company, 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 any gauge from a point in or near McLean Station or Qu'Appelle Station or Indian Head Station on the Canadian Pacific Railway to a point in or near the village of Qu'Appelle, otherwise known as Fort Qu'Appelle, Assiniboia, in the North-West Territories.

2. In the event of the railway or any portion thereof being in the first instance constructed of a gauge of less than four feet eight and one-half inches it may be converted by the Company into the standard gauge.

Bond issue.

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

Telegraph and telephone lines.

9. The Company may construct and operate telegraph and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purposes of operating such telegraph and telephone lines, the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof; and may connect its lines with the lines of any telegraph or telephone company.

Agreement with telegraph or telephone company.

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

R.S.C., c. 132.

3. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Powers.

10. The Company may, in connection with its railway and for the purposes of its business,

Motive power.

(*a.*) acquire lands and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy and other motive power;

Docks, warehouses, etc.

(*b.*) acquire land for wharves, docks, elevators, warehouses and coal-bunkers in connection with the operations of the Company and erect buildings thereon, and collect wharfage and storage charges for the use thereof;

Patent rights.

(*c.*) acquire exclusive rights in letters patent, franchises or patent rights for the purpose of the works and undertakings hereby authorized, and again dispose of such rights;

Surplus power.

(*d.*) sell or lease any surplus power which it may develop or acquire, either as water power or other motive power, or by converting the same into electricity or other force for the distribution of light, heat or power or for all purposes for which electricity or other motive power can be used, with power to transmit the same;

(*e.*) subject to such regulations as may be imposed by the Governor in Council, acquire and dispose of lands and construct, acquire and dispose of buildings and other erections and plant for the purpose of supplying water for the use of its works, railways and branches.

Expropriation of lands.

11. If the Company requires land for wharfs, docks, warehouses, elevators or bunkers, and cannot agree for the purchase thereof with the owner of such land, it may cause a map or plan and book of reference to be made of such land, and all the provisions of sections 107 to 111, both inclusive, of *The Railway Act*, shall apply to the subject matter of this section and to the obtaining of such land and to determining the compensation therefor.

Agreement with other companies.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 54.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Fort Qu'Appelle Railway Company.

First reading, March 8, 1901.

(PRIVATE BILL.)

MR. DOUGLAS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 55.] **BILL.** [1901.

An Act to incorporate the Arnprior and Pontiac Railway Company.

Preamble.

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

Incorporation.

1. William Jackson Conroy, of the town of Aylmer, in the province of Quebec; James Moore Shanley, of the city of Montreal, in the province of Quebec; Charles Mohr, of the township of Fitzroy, in the county of Carleton; George Buckham, of the township of Torbolton, in the said county of Carleton, and William Alexander Sheriff, of the township of Fitzroy, in the county of Carleton, together with such persons as become shareholders in the company, are incorporated under the name of "The Arnprior and Pontiac Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

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

Head office.

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

Annual meeting.

5. The annual meeting of the Company shall be held on the last Thursday in October in each year.

Election of directors.

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

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 Galetta on the Canada Atlantic Railway, in the township of Fitzroy, in the county of Carleton, in the province of Ontario, northerly across the Ottawa river to a point on the

Pontiac and Pacific Junction Railway, between the villages of Quyon and Shawville, in the county of Pontiac, in the province of Quebec, with power to extend the said railway to a point at or near the town of Arnprior, in the county of Renfrew.

Bridges.

8. The Company may construct, maintain and use bridges, with the necessary approaches thereto, across the Ottawa river and other rivers and streams, necessary for the purposes of the undertaking of the Company or other railway purposes, and for the passage of pedestrians, vehicles, cars or carriages propelled or drawn by electrical, horse or other motive power, and may lay tracks on the said bridges for the passage of railway and other cars, and may charge tolls for the passage of cars, vehicles and pedestrians over the said bridges.

Telegraph and telephone lines.

9. The Company may construct and operate telegraph and telephone lines along the whole length of its railway and branches and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purposes of operating such telegraph and telephone lines the Company may enter into a contract with any other company or may lease the Company's lines or any part thereof; and may connect its lines with the lines of any telegraph or telephone company.

Arrangements with telegraph or telephone companies.

2. The Company may enter into arrangements with any telegraph or telephone company for the exchange or transmission of messages or for the working in whole or in part of the lines of the Company.

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Powers of Company.

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

Lands and water powers.

(*a*) acquire lands and water powers and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy and other motive power;

Electricity.

Elevators, docks, etc.

(*b*) acquire lands for wharfs, docks, elevators, warehouses and coal-bunkers in connection with the operations of the Company and erect buildings thereon, and collect wharfage and storage charges for the use thereof;

Patent rights.

(*c*) acquire exclusive rights in letters patent, franchises or patent rights for the purpose of the works and undertakings hereby authorized, and again dispose of such rights;

Surplus power.

(*d*) sell or lease any surplus power which it may develop or or acquire, either as water porwer or other motive power, or by converting the same into electricity or other force for the distribution of light, heat or power or for all purposes for which electricity or other motive power can be used, with power to transmit the same;

Water for Company's use.

(*e*) subject to such regulations as are imposed by the Governor in Council, acquire and dispose of lands and construct, acquire and dispose of buildings and other erections and plant

for the purpose of supplying water for the use of its works, railways and branches.

Expropriation of lands.

11. If the Company requires land for wharfs, docks, warehouses, elevators or bunkers, and cannot agree for the purchase thereof with the owner of such land, it may cause a map or plan and book of reference to be made of such land, and all the provisions of sections 107 to 111, both inclusive, of *The Railway Act* shall apply to the subject matter of this section and to the obtaining of such land and determining the compensation therefor.

1888, c. 29.

Bond issue on railway.

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

Bond issue on bridges.

13. The Company may also issue bonds, debentures or other securities to an amount not exceeding two hundred thousand dollars in aid of the bridges hereby authorized, and such bonds may be secured by a deed of mortgage, and such deed of mortgage may contain provisions that all tolls and revenues derived from the use of the said bridges by other corporations or persons shall be specially charged and pledged as security for such bonds, and may also provide that the Company pay to the trustees of such mortgage similar rates and tolls to those fixed for the use of the bridges by similar corporations, which rates and tolls shall also be charged as security for such bonds.

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in each of the counties through which the railway of the company runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 55.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Arnprior and Pontiac Railway Company.

First reading, March 8, 1901.

(PRIVATE BILL.)

Mr. LEMIEUX.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 56.] **BILL.** [1901.

An Act respecting the Columbia and Kootenay Railway and Navigation Company.

Preamble.

WHEREAS the Columbia and Kootenay Railway and Navigation 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:—

1890, c. 87; 1891, c. 71; 1893, c. 45; 1897, c. 41;

Time for construction extended.

1. The Columbia and Kootenay Railway and Navigation Company, hereinafter called "the Company," may construct and complete the railways and branches mentioned in chapter 41 of the statutes of 1897, within five years after the passing of this Act, provided that the power hereby granted shall cease and be null and void as to so much thereof as shall not be completed within that period.

1897, c. 41.

Vessels.

2. The Company may construct or acquire steam and other vessels suitable for passenger and freight traffic, and may operate them on any water route connecting any place on its railway with any other place in British Columbia.

Head office.

3. From and after the passing of this Act the head office of the Company shall be in the city of Montreal, but the directors of the Company may, from time to time, by by-law, change it to any other place in Canada.

No. 56.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Columbia and Kootenay Railway and Navigation Company.

First reading, March 11, 1901.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 57.] **BILL.** [1901.

An Act to incorporate the Crow's Nest 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, declares and enacts as follows:— Preamble.

1. The Honourable George A. Cox, Elias Rogers, Henry M. Pellatt, J. W. Flavelle, E. R. Wood and A. E. Ames, all of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of the Crow's Nest Southern 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 three million dollars, and may be called up by the directors from time to time as they deem necessary. Capital stock.

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

6. The annual meeting of the shareholders shall be held on the first Thursday in September in each year. Annual meeting.

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

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one half inches from, at or near the coal mines at Michel, in the East Kootenay District, British Columbia, thence by way of, or near, Michel Creek and a feasible and practicable route east or west of the Elk and Upper Kootenay rivers southwards to the international boundary, also from at or near Michel Creek northerly along the valley of the Elk River and thence to a point on the main line of the Canadian Pacific Railway, also from a point Line of railway described.

on the proposed line of railway, thence northerly and easterly by the North Kootenay Pass to Alberta to connect with the British Columbia Southern Railway, also branches from any points on the proposed line not exceeding in any one case thirty miles in length.

Powers of Company.

9. The Company may—

Electricity.

(*a.*) acquire lands, and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy;

Power houses.

(*b.*) build and maintain power houses and stations for the development of electrical force and energy;

Patent rights.

(*c.*) acquire exclusive rights in letters patent, franchises or patent rights, for the purpose of the works and undertaking hereby authorized, and again dispose of such rights;

Surplus power.

(*d.*) sell or dispose of any surplus power which the Company may develop or acquire, either as water power or by converting it into electricity or other force for the distribution of light, heat or power, or for other purposes;

Vessels.

(*e.*) construct, acquire, navigate and dispose of steam and other vessels on any navigable waters adjacent to its lines of railway, and may construct and maintain docks, wharfs and other buildings necessary for the use of the Company.

Docks.

Expropriation of lands.

10. If the Company requires land for wharfs, docks and elevators, and if it cannot agree for the purchase thereof with the owner of such land, it may cause a map or plan and book of reference to be made of such land, and all the provisions of sections 107 to 111, both inclusive, of *The Railway Act* shall apply to the subject matter of this section, and to the obtaining of such lands and determining the compensation therefor.

1888, c. 29.

Telegraph and telephone lines.

11. The Company may construct, work and maintain a telegraph line and telephone line along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purposes of operating such telegraph and telephone lines the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof.

Arrangements with telegraph and telephone companies.

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

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Bond issue.

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

No. 57.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Crow's Nest Southern Railway Company.

First reading, March 11, 1901.

(PRIVATE BILL.)

Mr. Galliher.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No 58.] **BILL.** [1901.

An Act to incorporate the Kootenay and Arrowhead 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. David McNicoll and Thomas Tait, of the city of Montreal, Harry Abbott and George McL. Brown, of the city of Vancouver, together with such persons as become shareholders in the company, are incorporated under the name of "The Kootenay and Arrowhead 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 one million dollars and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

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

5. The annual meeting of the shareholders shall be held on the in in each year. Annual meeting.

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

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 Lardo, near the head of Kootenay Lake, to a point at or near Duncan, and thence in a direction generally north-west to Arrowhead on Arrow Lake, Kootenay District, British Columbia, by a route passing near Trout Lake and the north side of the east arm of Arrow Lake, and branch lines. Line of railway described.

8. The Company may construct its railway within five years from the passing of this Act; provided that the powers hereby Time for construction limited.

granted shall cease and be null and void as to so much of the said railway as shall not be completed within that period.

Bond issue.

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

Telegraph and telephone lines.

10. The Company may construct and operate telegraph and telephone lines along its railway and branches, and may also construct or acquire and operate any lines of telegraph or telephone connected with the line so to be constructed along the said railway; may transmit messages for the public by any such line or lines of telegraph or telephone and collect tolls for so doing, and may lease or otherwise dispose of such lines of telegraph or telephone or any portion thereof,

Tramways, etc.

Expropriation of lands.

11. The Company may construct, acquire and operate rope-ways and tram-ways for the transportation of ore and other freight not exceeding in any one case ten miles in length to or from any point on its railway or branches, and shall have all such powers for the expropriation of land requisite for the convenient construction and operation of such works as are given by *The Railway Act* to railway companies for railway purposes.

Vessels.

12. The Company may construct or acquire steam and other vessels suitable for passenger and freight traffic and operate them on any water route connecting its railway with any place in British Columbia.

Works, etc.

Electricity.

13. The Company may own and operate warehouses, mines, smelters, reduction works, timber lands, wharves, roads, docks, saw-mills, water rights, dams, flumes, water power and such appliances and conveniences connected therewith as the Company thinks proper; and may generate and transmit and deal in electricity and electric power.

Agreement with another company.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

14. The works of the Company or any part thereof may be leased or sold to the Canadian Pacific Railway Company, the Columbia and Kootenay Railway Company, the Columbia and Western Railway Company, or the British Columbia Southern Railway Company, on such terms and conditions as are agreed upon between the directors of the two companies; provided, that such lease or sale has been first sanctioned by the consent in writing of every shareholder of the Company and by the Governor in Council, or failing such consent of every shareholder then by two-thirds of the votes of the shareholders present or represented by proxy, at a special general meeting duly called for the purpose and by the approval of the Governor in Council, after notice of the proposed application therefor has been published in *The Canada Gazette*, and also in a newspaper published at Vancouver in British Columbia, for at least four weeks previous to the hearing of such application.

No. 58.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Kootenay and Arrowhead Railway Company.

First reading, March 11, 1901.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 59] **BILL.** [1901.

An Act to incorporate the Similkameen and Keremeos 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. Joseph Benjamin McArthur and John Ferguson McCrae, of the city of Rossland, and William C. McDougall, of the town of Olalla, Yale district, province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Similkameen and Kermeos 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 three million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock

4. The head office of the Company shall be in the town of Olalla, Yale district, British Columbia, but the directors may, by by-law, change the head office to any other place in Canada. Head office.

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

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

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 Penticton, in the Yale district of the province of British Columbia, thence southerly and westerly along Shingle Creek to Fish Lake Pass, thence southerly along said pass to Fish Lake, thence along Keremeos Canyon to Keremeos Valley, and southerly through said valley to Keremeos, and thence southerly through the Similkameen valley to the international boundary line at or near its crossing of the Similkameen River in the said province of British Columbia; and Line of railway described.

may build branch lines (*a*) from Fish Lake westerly through the upper Kereemos valley to the Nickel Plate Camp and Twenty Mile Creek, and (*b*) westerly through the Similkameen valley to Princeton, in the said province.

Telegraph and telephone lines.

8. The Company may construct and operate a telegraph line and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public, and for the purpose of erecting and working such telegraph and telephone lines the Company may enter into a contract with any other company.

Arrangements with telegraph and telephone companies.

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

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for the leasing or using of the telegraph or telephones of the Company until such rates or charges have been approved of by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Compressed air and electricity.

9. The Company may, for the purposes of its undertaking, acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating or motor purposes, and may dispose of surplus power generated by the Company's works and not required for the undertaking of the Company.

Surplus power.

Motive power for railway.

2. In addition to the powers contained in paragraph (*k*) of section 90 of *The Railway Act*, the Company may work and operate its line of railway, or any part thereof, by the force or power of liquid or compressed air.

1888, c. 29, s. 90.

Borrowing powers for general purposes.

10. The directors, under the authority of a resolution of the shareholders, passed at the first general meeting of the shareholders, or at any special meeting called for that purpose, or at any annual meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, may from time to time at their discretion borrow money for the purposes of the Company and may issue bonds or debentures in respect of the same, and secure the repayment of the said moneys in such manner and upon such terms and conditions as they see fit, and for this purpose may mortgage, pledge, hypothecate or charge any of the assets and property of the Company other than the railway.

Issue of bonds and debentures.

Amount limited.

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

Bond issue on railway.

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

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

2. Such saction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published. Notice of application for sanction.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with. Agreement to be filed with Secretary of State.

No. 59.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Similkameen and Keremeos Railway Company.

First reading, March 11, 1901.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 60.] **BILL.** [1901.

An Act to incorporate the United Empire Life Insurance Company.

Preamble.

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

Incorporation.

1. Andrew Thorburn Thompson of the town of Cayuga in the province of Ontario, Edward Seybold, Honourable George Wheelock Burbidge, T. Cameron Bate, John William McRae, John Procter Dickson, John Dickson Courtenay, Charles Frederick Colwell and Angus William Fraser, of the city of Ottawa, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The United Empire Life Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

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

First general meeting.

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

Election of directors.

Qualification.

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

Calls.

5. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of any call shall be given; provided that the Company shall not commence the business of insurance until sixty-five thousand dollars of the capital stock have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this act; provided further that the amount so paid in by any shareholder shall not be less than ten per cent of the amount subscribed by such shareholder.

When business may be commenced.

Increase of capital.

6. The directors may, after the whole stock has been subscribed and five hundred thousand dollars have been paid thereon in cash, increase the amount of capital stock, from time to time, to an amount not exceeding two million dollars, but the stock shall not be increased until a resolution of the board of directors authorizing such increase has been first submitted to and confirmed by a majority of the shareholders representing at least two-thirds in value of the subscribed stock of the Company, present at a special meeting of the shareholders duly called for the purpose of considering such by-law.

Head office.

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

Branches.

2. The directors may, from time to time, establish branches sub-boards or agencies, either within Canada or elsewhere, in such manner as the directors from time to time appoint.

Annual general meeting.

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

Business.

9. The Company may effect contracts of life insurance with any person, and may grant, sell or purchase annuities, grant endowments, and generally carry on the business of life insurance in all its branches and forms.

Real property.

10. The Company may acquire, and dispose of any real property required in part or wholly for the use and accomodation of the Company; but the annual value of such property held in any province of Canada shall not exceed five thousand dollars, except in the province of Ontario, where it shall not exceed ten thousand dollars.

Distribution of profits.

11. The directors may, from time to time, set apart such portion of the net profits as they deem safe and proper, for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies, and distinguishing such part from the profits derived from other sources; and

the holders of participating policies shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies, to the extent of not less than ninety per cent thereof; but no dividend or bonus shall at any time be declared or paid out of estimated profits, and the portion of such profits which remains undivided upon the declaration of a dividend shall never be less than one-fifth of the dividend declared.

Paid up policies issued in certain cases.

12. Whenever any holder of a policy other than a term or natural premium policy has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum as the directors fix as the surrender value of the policy, such sum in either case to be ascertained upon principles to be adopted by by-law applicable generally to all such cases as may occur; provided he demands such paid up and commuted policy or such cash payment while the original policy is in force, or within twelve months after his failure to pay a premium thereon.

Rights of participating policy holders.

13. The Company may agree to give to the holders of participating policies the right to attend and vote in person at all general meetings of the Company; and if the Company so determines, all persons who are actual holders of policies from the Company, whether such persons are shareholders of the Company or not, and who are, by the terms of their policies, entitled to participate in profits and are referred to in this Act as holders of participating policies, shall be members of the Company and be entitled to attend and vote in person at all general meetings of the Company (except at meetings called for the purpose of increasing the capital stock of the Company, and shall not be entitled to vote by way of confirmation or against the confirmation of any by-law for the increase, issue, allotment or sale of capital stock of the Company); and every holder of a participating policy of the Company for a sum not less than one thousand dollars shall be entitled to one vote for each one thousand dollars in his policy.

Husband and father.

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

Separate accounts for sections.

14. The Company may maintain separate accounts of the business transacted by it in the "Industrial," "General," "Abstainers" and the "Woman's," sections, keeping the receipts and expenditures distinct, each section sharing its own profits and each section paying its own proper portion of expenses; and the Company may establish a section on the principle of non-participation in profits which shall be known as the "Non-participating Section."

R.S.C., c. 118.

15. Notwithstanding anything contained therein, *The Companies Clauses Act*, except sections 18 and 39 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any of the provisions of *The Insurance Act* or of this Act.

R.S.C., c. 124.

No. 60.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the United Empire Life Insurance Company.

First reading, March 11, 1901.

(PRIVATE BILL.)

MR. BIRKETT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 61.] **BILL.** [1901.

An Act respecting W. C. Edwards and Co., Limited.

Preamble.

WHEREAS W. C. Edwards and Co., Limited, 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:—

1892, c. 72, s. 4 amended.

1. Section 4 of chapter 72, of the statutes of 1892, is repealed, and the following is substituted therefor:—

Shares in other companies.

"**4.** The Company may acquire, hold, deal with and dispose of shares in any boom or river improvement company and in any other company any of whose powers are within the scope of those of the Company."

No. 61.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting W. C. Edwards and Co., Limited.

First reading March 11, 1901.

(PRIVATE BILL.)

MR. ROSAMOND.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 62.] **BILL.** [1901.

An Act to incorporate the Pontiac Colonization Railway Company.

Preamble.

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

Incorporation.

1. Edson Joseph Chamberlin, of the city of Ottawa, gentleman, George Frederick Benson, of the city of Montreal, merchant, and James St. George Dillon, of the city of New York, merchant, together with such persons as become shareholders in the company, are incorporated under the name of "The Pontiac Colonization Railway Company," hereinafter called "the Company."

Corporate name.

Declaratory.

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

Provisional directors.

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

Capital stock.

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

Preferred stock.

5. The Company may, under the authority of the ordinary shareholders given at a special general meeting duly called for that purpose, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, issue any portion of its capital stock as preferred stock, and such preferred stock shall have the special incidents and privileges defined by the following paragraphs, that is to say :—

(*a.*) The profits of each year shall be first applied to pay a cumulative preferential dividend at a rate not exceeding six per cent per annum.

(*b.*) The residue of surplus profits applicable for dividend in each year shall be divided among the holders of the ordinary shares ;

(*c.*) Nothing herein contained shall prejudice or limit the powers or discretion of the directors as to the time or mode of application and distribution of profits, or as to the setting aside of profits for a reserve fund and depreciation accounts ;

(*d.*) The holders of the said preferred stock shall also be entitled to the preferential payment of the amount paid up on their shares out of the assets available for the return of capital, in priority to any return of capital in respect of ordinary shares in the Company; and, subject thereto, the residue of such surplus assets shall belong to and be divided among the ordinary shareholders.

Rights of preferred stockholders.

2. The holders of such preferred stock shall have and enjoy the rights, privileges and qualifications of holders of other capital stock for voting at all meetings of the shareholders and for the purpose of becoming directors.

Head office.

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

Annual meeting.

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

Election of directors.

8. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose not less than three, and not more than eleven, persons to be directors of the Company, 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, from some point on the Ottawa River, in the county of Pontiac, in or between the township of Onslow and the mouth of the Dumoine River; thence by the most feasible route to the district drained by the Coulonge, Black and Dumoine rivers, and thence northerly to the shore of James Bay.

Powers of Company.

10. The Company may, for the purposes of its business,—

Transportation.

(*a.*) construct, acquire and navigate vessels upon or across the Ottawa, Coulonge, Black and Dumoine rivers, and upon the rivers, lakes and streams forming part thereof or tributary thereto or connecting therewith, and upon other inland waters of the province of Quebec connecting with or adjacent to the proposed line of railway, and carry on generally the business of transportation in connection with the said railway and vessels, and may from time to time sell and dispose of such vessels;

Vessels.

Warehouses, docks, etc.

(*b.*) construct, acquire, lease and sell wharfs, docks, elevators, warehouses and other works for facilitating the transportation of passengers or freight upon or across the said railway and the said rivers, lakes and streams;

Mining.

(*c.*) purchase or otherwise acquire and work mines, mineral and mining rights in the province of Quebec, and crush, smelt, reduce and amalgamate ore to render marketable the produce thereof and may develop such mines and crush, smelt, reduce and amalgamate the ores and products of any mines, whether belonging to the Company or not;

Compressed air.

(*d.*) acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting,

Electricity.

heating and motor purposes in connection with its railways,

vessels and works, and dispose of surplus electricity or other power generated by its works and not required for operating its railway or other works;

Lands and buildings.

(*e.*) subject to such regulations as are imposed by the Governor in Council, construct, purchase, lease or otherwise acquire and hold lands, buildings and other erections for the purpose of supplying water for the use of its works, railways and branches.

Bond issue.

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

Aid to Company.

12. The Company may, from time to time, receive from any government, person or municipal corporation, in aid of the construction, equipment and maintenance of the said railway and of any line of steam vessels running in connection therewith or otherwise, grants of land, bonuses, loans or gifts of money or securities for money, and may also purchase or lease from any government, person or corporation, any lands, rights or privileges; and the lands, leases and privileges so acquired and held by the Company for sale or otherwise for the purposes thereof, may be conveyed to trustees to be held, conveyed and otherwise disposed of by them, upon the trusts and for the purposes herein declared in reference to such lands, leases and privileges; and all moneys arising from the sale or other disposition of such lands, leases and privileges shall be held and applied in trust for the purposes following, that is to say: firstly, in payment of the expenses connected with the acquisition, purchase, survey, management and sale of the said lands; secondly, in payment of the dividends and interest on, and principal of, bonds issued upon the land grant or any portion thereof, or upon the railway, from time to time, payable in cash by the Company, provided such dividends, interest and principal have been made a charge on such lands; and thirdly, for the general purposes of the Company.

Lands sold freed from charges.

13. All lands sold and conveyed by the Company, or by the said trustees after a conveyance thereof to them upon the trusts aforesaid, and which have been paid for in cash by the persons entitled to receive the purchase money, shall thereby be for ever released and discharged from all mortgages, liens and charges of any kind or nature, by this Act or by the Company created; and the purchase money arising from the sale of such lands by the Company shall be applied, in the first place, in the satisfaction of any mortgage thereon created by the Company, and after payment of such mortages or liens created by the Company thereon, the same shall be applied in accordance with the trusts in the next preceding section declared.

Application of proceeds of sale.

Lands not required may be sold.

14. Any lands acquired otherwise than by expropriation by the Company, whether earned or to be earned after the passing of this Act, which are not required for the right of

way or actual working of the railway of the Company, may be sold, mortgaged, granted, or disposed of as the directors think necessary and advantageous for the purposes of the Company.

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement, conveyance or lease referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

Time for construction limited.

16. If the construction of the railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, the powers granted by this Act, or by *The Railway Act*, shall cease and be null and void as respects so much of the railway as then remains uncompleted.

No. 62.

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

BILL.

An Act to incorporate the Por
Colonization Railway Company.

First reading, March 11, 1901.

(PRIVATE BILL.)

MR. MURRA

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 63.] **BILL.** [1901.

An Act to amend the Franchise Act, 1898.

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

1898, c. 14, s. 5, amended.

1. Paragraph (*c*) of section 5 of *The Franchise Act*, 1898, being chapter 14 of the statutes of that year, is repealed and the following is substituted therefor:—

Provincial voters' lists adopted.

"(*c.*) The voters' lists shall be those prepared for the several polling divisions so established and which on the day of the date of the writ for such Dominion election were in force or were last in force under the laws of that province for the purposes of provincial elections."

Sec., 6 amended.

2. Subsection 2 of section 6 of the said Act is repealed and in lieu thereof it is hereby enacted that any person possessed of the qualifications generally required by the provincial law to entitle him to vote at a provincial election, except that his name has been omitted from the list of voters by reason or on account of some such disqualifying provision, may, nevertheless, if not otherwise disqualified, vote at a Dominion election at the place where, but for such omission, he would have been entitled to vote under subsection 1 of the said section on his taking or offering to take before the deputy returning officer or other officer or person in charge of the polling place, in addition to the oath which he might have been required to take if his name had been on the list, so far as such last mentioned oath is applicable, the oath prescribed by subsection 5 of section 64 of the *Dominion Elections Act*, 1900.

If voter's name has been omitted from list on account of provincial disqualification.

New sec., 9.

3. Section 9 of the said Act is repealed and the following is substituted therefor:—

If provincial list are more than one year old.

"**9.** Where under the laws of a province the voters' lists for any provincial electoral district or division or any of them are prepared not at regular intervals, but at such times as are fixed by the Lieutenant Governor in Council or some other provincial or local authority or only from time to time for the purpose of a general or other election in immediate contemplation, the last preceding voters' lists so prepared shall be used for the purpose of any Dominion election in the territory comprised in such provincial electoral district or division or the parts thereof for use in which they were prepared, if such lists have been prepared not more than one year before the date of the writ for such Dominion election; otherwise, new voters' lists shall be prepared, and for the purpose of preparing and giving effect to such voters' lists the Governor

New lists to be prepared.

in Council may appoint all necessary officers and confer upon them all necessary powers, and in the preparation and revision and bringing into force of such new voters' lists the provisions of the laws of the province regulating the preparation and revision and bringing into force of the provincial voters' lists in such cases shall, as far as possible, be observed and followed : Provided that, if in any such case voters' lists have been prepared under this section not more than one year before the day fixed for the nomination of candidates, new lists shall not be prepared, but the lists so prepared shall be used unless there are lists of a later date prepared under the provincial law."

Proviso.

No. 63.

1st Session, 9th Parliament, 64 Victoria, 190?

BILL

An Act to amend the Franchise Act, 1898.

First reading, March 13, 1901.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. Dawson
Printer to the Queen's most Excellent Majesty
1901

No. 64.] **BILL.** [1901.

An Act to amend the Dominion Elections Act, 1900.

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

1900, c. 12, new s. 2.

1. Section 2 of *The Dominion Elections Act*, 1900, is repealed and the following is substituted therefor :—

Application to N. W. T.

"**2.** The following provisions of this Act shall apply to elections in the North-west Territories, so far as they are applicable and not inconsistent with the provisions of *The Northt-west Territories Representation Act*, as amended, that is to say : sections 4 to 7, both inclusive ; section 9 ; section 41, paragraphs (*c*), (*d*), (*e*) and (*g*) of subsection 1, and subsection 2 ; sections 43to 59, both inclusive; sections 62 to 64, both inclusive; sections 69 to 150, both inclusive ; and sections 152 to 154, both inclusive ; together with the forms mentioned in the said sections and parts of sections ; but otherwise, except as provided by *The North-west Territories Representation Act*, or any amendment thereto, this Act shall not apply to the North-west Territories."

R.S.C., c. 7.

New s. 34.

2. Subsection 1 of section 34 of the said Act is repealed and the following is substituted therefor :—

Consent of candidate.

"**34.** No nomination paper shall be valid and acted upon by the returning officer unless it is accompanied by the consent in writing of the person therein nominated, except when such person is absent from the province in which the election is to be held,—in which case such absence shall be stated in the nomination paper ; and unless a sum of two hundred dollars, in legal tender or in the bills of any chartered bank doing business in Canada, or a cheque for that sum drawn upon and accepted by any such bank, is deposited in the hands of the returning officer at the time the nomination paper is filed with him."

Deposit by him.

S. 41, amended.

3. Paragraph (*e*) of subsection 1 of section 41 of the said Act is repealed and the following is substituted therefor :—

Ballot papers.

"(*e.*) furnish each deputy returning officer with a sufficient number of ballot papers (all being of the same description and as nearly as possible alike) to supply the number of voters on the list of such polling division, and a certificate of the number of such ballot papers, and with the necessary materials for voters to mark their ballot papers."

S. 41, further amended.

2. Subsection 2 of the said section is repealed.

S. 48 amended.

4. Subsection 1 of section 48 of the said Act is repealed and the following is substituted therefor :—

Form of ballot paper.

"**48.** The ballot of each voter shall be a printed paper, in this Act called a ballot paper, on which the names of the candidates, alphabetically arranged in the order of their surnames, shall be printed exactly as they are set out in the nomination paper ; and the ballot paper shall also be provided with a counterfoil and a stub, the whole as in from P."

S. 48 further amended.

2. Subsections 4 and 5 of said section 48 of the said Act are repealed and the following are substituted therefor :—

King's printer to furnish paper.

"4. The paper required for the printing of the ballot papers shall be furnished to the returning officer by the King's Printer, when the writ for the election is transmitted to him or as soon thereafter as possible.

Binding and numbering of ballot papers.

"5. The ballot papers shall be numbered on the back of the stub and the counterfoil, the same number being printed or written on the stub as on the counterfoil, and shall be bound or stitched in books containing 25, 50 or 100 ballots, as may be most suitable for supplying the polling divisions proportionately to the number of voters in each."

New s. 59.

5. Section 59 of the said Act is repealed and the following is substituted therefor :—

Inspection of ballot papers, etc., before opening of poll.

"**59.** Agents and electors entitled to be present in the room of the polling station during polling hours shall be entitled to have the ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and shall be entitled to inspect such ballot papers and all other papers, forms and documents relating to the poll, provided such agents or electors are in attendance at least fifteen minutes before the hour fixed for opening the poll."

S. 64, amended.

6. Subsection 6 of section 64 of the said Act is repealed and the following is substituted therefor :—

Voters in certain cities changing their residences.

"6. If the name of any person is found on the voters' list to be used at any polling division of an electoral district situate wholly or partly within the limits of a city or incorporated town in the province of Ontario to which the *Manhood Suffrage Registration Act* applies and—

if, between the time when such list came into force for the purposes of a Dominion election and the polling day at such election, such person has changed his residence from one part of such city or town to another part thereof,—

then, notwithstanding anything to the contrary in the provincial law as applicable, under *The Franchise Act*, 1898, or under this Act, to such election, such person shall not be disqualified from voting in such polling division."

New s. 70.

7. Section 70 of the said Act is repealed and the following is substituted therefor :—

Ballot paper to be initialled and numbered.

"**70.** The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed, as indicated in Form P, that when the ballot is folded they can be seen without opening it, and on the back of the counterfoil of which he has placed a number corresponding to that placed opposite the voter's name in the poll book."

8. Subsection 7 of section 90 of the said Act is repealed and the following is substituted therefor :— S. 90, amended.

"7. The judge shall, in the case of a recount, proceed to recount the votes according to the rules set forth in section 80, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate ; and upon the completion of such recount, or as soon as he has so ascertained the result of the poll, he shall seal up all the said ballot papers in separate packets." Mode of proceeding with the recount.

9. Form L in schedule 1 to the said Act is amended by substituting the following for the form of ballot therein and the paragraph immediately preceding that form :— New form L

"*In the following form of ballot paper, given for illustration, the candidates are Wm. R. Brown, Frank Hamon, Joseph O'Neil and John R. Smith, and the voter has marked his ballot paper in favour of John R. Smith.*

[redacted]

1. WM. R. BROWN

of the City of Ottawa, Barrister.

[redacted]

2. FRANK HAMON

of the City of Ottawa, Artist.

[redacted]

3. JOSEPH O'NEIL

of the City of Ottawa, Gentleman.

[redacted]

4. JOHN R. SMITH X

of the City of Ottawa, Merchant.

[redacted]

New form P. **10.** Form P in schedule One to the said Act is repealed and the following is substituted therefor :—

P.—(*Section* 48.)

Form of ballot paper.

Front.

1. WM. R. BROWN
of the City of Ottawa, Barrister.

2. FRANK HAMON
of the City of Ottawa, Artist.

3. JOSEPH O'NEIL
of the City of Ottawa, Gentleman.

4. JOHN R. SMITH
of the City of Ottawa, Merchant.

Back.

No. 325 ..... No. 325 ..... *P. B. No* .....

Dep. Ret. Officer's Initials here.

Election of a Member of the House of Commons of Canada, Electoral District of the City of Ottawa, November 24th, 1901.

Printed at Ottawa, Ontario, by James Brown.

11. Form U in the said schedule One is hereby repealed and the following is substituted therefor:— New form U.

"U.—(*Section* 65.)

Oath that voter is not disqualified under the Dominion Elections Act, 1900.

You swear (*or* solemnly affirm)—

That you have not been disfranchised under the provisions of the *Act to disfranchise voters who have taken bribes*, or for corrupt practices under the Dominion Elections Act, 1900;

That you have not voted before at this election, either at this or any other polling place;

That you have not received anything, that you do not expect anything, nor has anything been promised you, directly or indirectly, to induce you to vote at this election, either for loss of time, travelling expenses, hire of team, or for any other service connected therewith;

That you have not, directly or indirectly, paid or promised anything to any person either to induce him to vote or to refrain from voting at this election;

That you are not otherwise disqualified from voting at this election. So help you God."

12. Schedule Three to the said Act is amended by striking out the reference therein to section 9 of chapter 14 of the statutes of 1898; and it is hereby enacted that section 9 of the said chapter 14 shall apply to the Province of Manitoba whenever and in so far as the provincial voters' lists for that province or any of them are prepared not at regular intervals, but only at such times or from time to time as in the said section mentioned. Schdule Three amended.

Application of 1898, c. 14, s. 9, to Manitoba.

No. 64.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Dominion Elections Act, 1900.

First reading, March 13, 1901.

Mr. Fitzpatrick.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 65.] **BILL.** [1901.

An Act to provide for the establishment of a Medical Council in 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 Canada Medical Act*, 1901. Short title.

2. In this Act, unless the context otherwise requires, the expression "medicine" shall be held to include surgery and obstetrics, and the expression "medical" shall be held to include "surgical" and "obstetrical." "Medicine" and "medical" defined.

3. The persons from time to time appointed or elected, or otherwise being under the provisions of this Act, shall be members of "The Medical Council of Canada," hereinafter called "the Council." Medical Council of Canada.

4. The purposes of the Council shall be to promote and effect— Its purposes.

(*a.*) the establishment of a qualification in medicine, such that the holders thereof shall be acceptable and empowered to practice in all the Provinces of Canada; One qualification for all provinces.

(*b.*) the establishment of a register for Canada of medical practitioners and students, and the publication and revision from time to time of such register; Medical register.

(*c.*) the determination and fixing of the qualifications and conditions necessary for registration, including the courses of study to be pursued, the examinations to be undergone, and generally the requisites for registration; Requisites for registration.

(*d.*) the establishment and maintenance of a board of examiners for the examination of such persons and for the granting of certificates of qualification; Board of examiners.

(*e.*) the establishment of such a status of the medical profession in Canada as shall ensure recognition thereof in the United Kingdom, and enable Canadian practitioners to acquire the right to registration under the Acts of the Imperial Parliament known as the "Medical Acts;" Registration of Canadian practitioners in U. K.

(*f.*) the enactment, with the consent and at the instance of the medical councils or boards of the various Provinces of Canada, of such Provincial legislation as is necessary to supplement the provisions of this Act and to effect the foregoing purposes. Pprovincial legislation.

5. The Council may acquire and hold such real estate and personal property as is necessary or expedient for the purposes Powers as to real estate.

of the Council or of providing a revenue therefor, and may sell, lease or otherwise dispose thereof; but the annual value of the real estate owned by the Council and held for the purposes of revenue only shall not at any time exceed the sum of twenty-five thousand dollars.

Composition of Council.

6. The Council shall be composed of—

(*a.*) Three members from each Province now or hereafter forming part of Canada, who shall be chosen as follows: one from each Province shall be appointed by the Governor in Council; one from each Province shall be elected by the medical council of such Province; and the president of each provincial medical council shall be *ex officio* a member of the Council;

(*b.*) And also three members who shall be elected by such practitioners in Canada as are now recognized by the laws of any Province as forming a particular and distinct school of practice of medicine, and are, as such, entitled to representation in the medical council of the Province.

Qualification of members.

2. No one shall be a member of the Council unless he—

(*a.*) resides in the Province for which he is an appointed, elected or *ex officio* member;

(*b.*) is a duly registered member of the medical profession according to the law of the Province which he represents;

(*c.*) is duly registered as a medical practitioner in the register established under the provision of this Act; but this qualification shall not be required of any of the members originally composing the Council.

Condition as to representation of a province.

3. No Province shall be represented upon the Council either by appointed, elected or *ex officio* members until the Legislature of the Province has enacted in effect that students and medical practitioners duly registered as such by the Council may, without further study, be registered as students or duly qualified medical practitioners within, and under the laws of, such Province.

Tenure of office.

7. The term of office for appointed members shall be four years.

Elected members.

2. Elected members shall remain in office until the expiration of the term of office of the members of the provincial medical council by whom they are elected.

Ex officio members.

3. *Ex officio* members shall be members of the Council so long as they continue to hold the office in virtue of which they become such members.

Others.

4. Other members shall be elected for four years, under such regulations as are framed by the Council; but the first such members of the Council shall be chosen under regulations made by the Minister of Agriculture.

Resignations.

5. Any member may at any time tender his resignation by written notice thereof to the president or to the secretary of the Council. Upon the acceptance of such resignation by the Council, the Council shall forthwith give notice in writing thereof, in case of an appointed member to the Secretary of State of Canada, and in case of an elected or *ex officio* member to the secretary of the medical council for the Province which such members represents.

Re-election.

6. Any person who is or has been a member may, if properly qualified, become an *ex officio* member or be re appointed or re-elected; but no person shall at one time serve as a member in more than one capacity.

Election of successors.

7. In the case of members of the Council who have been appointed or elected and whose term of office is about to expire, successors may be appointed or elected at any time within three months before the expiration of such term; provided that where any vacancy exists in the membership of the Council by reason of any term of office having expired, or otherwise, such vanacy may be filled at any time.

If provincial authority fails to elect member.

8. If the proper provincial authority to elect a member of the Council fails to do so, or fails to elect a properly qualified member, or fails to cause the name of the member elected to be certified to the secretary of the Council within a reasonable time after such election might have been made, then, after due notice from the Council, requiring such provincial authority to make and certify such election, the Council may thereupon, n case the default continues, itself elect such member.

Tenure of office of member filling vacancy.

9. A member appointed or elected to fill a vacancy caused by death or resignation shall hold office in all respects as the person in whose place he is appointed or elected would have held office, and for the remainder of the term for which that person was appointed or elected.

Decision of disputes.

10. In case of any doubt or dispute as to the qualification or the validity of the election of any member, the decision of the Council shall be final.

Executive.

8. The Council may from time to time—

Registrar.

(*a.*) elect from among its members a president, a vice-president and an executive committee;

(*b.*) appoint a registrar, who may also, if deemed expedient, act as secretary and treasurer;

Other officers.

(*c.*) appoint or engage such other officers and employees as the Council deems necessary to carry out the objects and provisions of this Act;

Security by officers.

(*d.*) require and take from the registrar, or from any other officer or employee, such security for the due performance of his duty as the Council deems necessary;

Renumeration of executive and officers.

(*e.*) fix the allowances or remuneration to be paid to the president, vice-president, members, officers and employees of the Council.

Meetings of Council.

9. The Council shall hold its first meeting at the city of Ottawa, at such time and place as is appointed by the Minister of Agriculture; and, thereafter, an annual meeting of the Council shall be held at such time and place as is from time to time appointed by the Council.

Quorum.

2. Until otherwise provided by order or regulation of the Council, eleven members of the Council shall form a quorum, and all acts of the Council shall be decided by a majority of the members present.

Voting.

3. The president or vice-president, when in the chair, and the chairman of any meeting of the Council or of any committee of the Council, shall have a casting vote in addition to his vote as a member of the Council or of the committee.

Regulations.

10. The Council may make rules, orders and regulations not contrary to law or to the provisions of this Act, for or with reference to—

Executive.

(*a.*) the purposes mentioned in section 8 of this Act;

Management.

(*b.*) the direction, conduct and management of the Council, and of its property;

Meetings.

(*c.*) the summoning and holding of the meetings of the Council, the times and places where such meetings are to be held, the conduct of business thereat, and the number of members necessary to constitute a quorum;

President and vice-president.

(*d.*) the powers and duties of the president and vice-president, and the selection of substitutes for them if unable to act for any cause at any time;

Officers.

(*e.*) the tenure of office, and the powers and duties of the registrar and other officers and employees;

Committees.

(*f.*) the election and appointment of the executive committee and other committees for general and special purposes, the definition of their powers and duties, the summoning and holding of their meetings, and the conduct of business by such committees;

Fees.

(*g.*) generally, all fees to be required, paid or taken under this Act;

Registration.

(*h.*) the admission, enrolment and registration of practitioners and students of the medical profession, subject to the provisions of this Act;

Qualifications for registration.

(*i.*) the qualifications to be required from all persons desirous of being registered, either as practitioners or students, under the authority of this Act, including the establishment, maintenance and effective conduct of examinations for ascertaining whether such persons possess the qualifications required; the number, nature, times and modes of such examinations; the appointment of examiners; the terms upon which matriculation and other certificates from universities, colleges and other educational institutions, or from the governing bodies of other professions, shall be received as evidence of qualification; the recognition of licenses granted by any British, Canadian, colonial or foreign licensing body or authority; the arranging and bringing into effect of any schemes of reciprocity as to registration with any British, colonial or foreign medical licensing body or authority; the dispensation of candidates from undergoing examinations, either wholly or partially; and generally all matters incident to such examinations or necessary or expedient to effect the objects thereof; provided, however, that the requirements of the curriculum shall not at any time be lower than the requirements of the most comprehensive curriculum established at the same time for the like purpose in any Province, and that the standard of examination, either preliminary or professional, shall not lower the highest standard for the like purpose established at the same time for the purpose of ascertaining the qualification for registration within any Province;

Proviso, as to curriculum and standard of examination.

Registration of foreign practitioners.

(*j.*) the terms and conditions upon which, and the circumstances under which, medical practitioners shall be entitled to registration under this Act in cases where such medical practitioners are duly registered or licensed under the Medical Acts of the United Kingdom, or under the laws of any British possession other than Canada, or under the laws of any

foreign country, which British possession or foreign country extends reciprocal advantages to Canada;

(*k*) generally, all matters which it is necessary or expedient to provide for or regulate in pursuance of the purpose of this Act and in furtherance of its general intention. Generally.

2. No rule, order or regulation made under the authority of this section shall have effect until approved by the Governor in Council. Approval of Governor in Council.

11. A copy of any such rule, order or regulation certified by the registrar or secretary under his hand and the seal of the . . . , may be received in evidence in any court of justice without proof other than the production of a copy purporting to be so certified. Evidence of regulations.

12. The Council shall enact such rules and regulations as shall secure to practitioners who, under the laws of any Province, are now recognized as forming a particular school in the practice of medicine, and to all applicants for registration who desire to be practitioners of such school, all the rights and privileges now possessed by them under the laws of any province, and the regulations of any provincial medical council. Regulations as to particular schools of medicine.

13. At each annual meeting of the Council, the Council shall appoint a board of examiners, to be known as "The Medical Council of Canada Examination Board," whose duty it shall be to hold the examinations prescribed by the Council. Board of examiners.

2. The members of the board of examiners shall be eligible for reappointment. Reappointment.

14. There shall be two classes of examinations to be held under this Act, namely, the preliminary or matriculation examination, and the professional examination. Matriculation and professional examinations.

2. The subjects of these examinations shall be decided by the Council, and candidates for examination may elect to be examined in the English or French language. Choice of language.

15. The Council shall cause to be kept by the registrar, under the direction of the Council, a book or register to be known as "The Canadian Medical Register", in which shall be entered, in such manner and with such particulars as the Council directs, the names of all persons who have complied with the requirements of this Act and with the rules, orders and regulations made by the Council respecting registration under this Act, and who apply to the registrar to have their names so entered. Canadian Medical Register.

16. Except as otherwise provided by this Act, every one shall, upon payment of the fees prescribed by the Council in that behalf, be entitled to be registered, either as a medical practitioner, or student, as the case may be, who passes the examinations duly prescribed by the Council, and otherwise complies with all the conditions and regulations requisite for such registration as prescribed by this Act and by the Council under the authority of this Act. Qualification for registration.

2. Any person now registered in any Province of Canada as a medical practitioner, shall, after . . . years from the date of Registration of provincial practitioners.

his registration, if during those . . . years he has continued to be so registered, be entitled to be registered under this Act as a medical practitioner, without examination, upon payment of the fees and upon compliance with the other conditions and regulations for such cases prescribed by the Council.

Registration of foreign practitioners.

3. Any person coming within any of the classes of registered or licensed practitioners to which paragraph (*j*) of section 10 of this Act applies shall be entitled to be registered upon complying with the orders and regulations established by the Council in that behalf.

Alterations in register.

17. Any entry in the register may be cancelled or corrected upon the ground of fraud, accident or mistake.

Appeal to Council.

18. In any case of an application for registration or for correcting or amending any entry upon the register, the applicant, if aggrieved by the decision of the registrar, may appeal to the Council, and the Council shall hear and determine the matter; but all applications to cancel or strike off entries from the register made adversely to the person whose registration it is desired to affect shall be by the registrar referred to the Council, and the Council shall, after due notice, hear and determine all such applications.

Decision of Council final.

2. The decision of the Council in all matters affecting the register, the entries made or to be made therein, and the right to registration, whether upon appeal or otherwise, shall be final.

Erasing name from register for crime or misconduct.

19. If it is made to appear to the Council, after inquiry, that any person registered under this Act has been convicted, either in any part of His Majesty's possessions or elsewhere, of an offence which if commited in Canada would be an indictable offence under *The Criminal Code*, 1892, or that he has been guilty of infamous or disgraceful conduct in a professional respect, then, whether such offence has been committed, or such conviction has taken place, or such infamous or disgraceful conduct has occurred, either before or after the passing of this Act, or either before or after the registration of such person, the Council shall direct the registrar to erase the name of such person from the register: Provided, however, that if a person registered under this Act has likewise been registered under the laws of any Province, and such provincial registration has been cancelled for any of the causes aforesaid by the authority of the medical council for that Province, the Council shall then, without further inquiry, direct the registration of such person under this Act to be cancelled.

Proviso, in case of provincial registration.

Certain things insufficient to disqualify.

2. The name of a person shall not be erased under this section—

(*a.*) because of his adopting or refraining to adopt the practice of any particular theory of medicine or surgery; or

(*b.*) because of his conviction out of His Majesty's possessions of a political offence against the laws of any foreign country; or

(*c.*) because of his conviction for any offence which, though coming within the provisions of this section, is, in the opinion of the Council, either from the trivial nature of the offence or from the circumstances in which it was committed, insufficient to disqualify a person from being registered under this Act.

No. 65.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to provide for the establishment of a Medical Council in Canada.

First reading, March 13, 1901.

Mr. Roddick.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 67.] **BILL.** [1901.

An Act to incorporate the Quebec Terminal and Railway Company.

Preamble.

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

Incorporation.

1. The Honourable John Sharples, the Honourable Joseph A. Paquet, Gaspard Lemoine and Roger Larue, all of the city of Quebec, and D'Arcy Scott, of the city of Ottawa, together with such persons as become shareholders in the company, are incorporated under the name of "The Quebec Terminal and Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

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

Head office.

4. The head office of the Company shall be in the city of Quebec, or such other place as the directors from time to time determine by by-law.

Annual meeting.

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

Election of directors.

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

Qualification.

2. No person shall be a director unless he is a shareholder owning fifty shares of stock absolutely in his own right, and has paid all calls due thereon, and is qualified to vote for directors at the election at which he is chosen.

Agreement with Quebec Bridge Company.

7. The Company may enter into an agreement with the Quebec Bridge Company to lay out, construct and operate, by steam, electricity or other power, a railway of the gauge of four feet eight and one-half inches from a point at or near the northern terminus of the Quebec Bridge in the parish of St.

Foye to the city of Quebec, and from the southern terminus of the Quebec Bridge to a point at or near the point of intersection of the Grand Trunk Railway with the Drummond Counties Railway at Chaudière Curve, in the county of Lévis, or at any point on the Grand Trunk Railway to the east thereof, and the Quebec Bridge Company is hereby authorized to enter into the said agreement with the Company.

Powers of Company.

8. The Company may—

Docks and elevators.

(*a.*) erect and maintain docks, dock-yards, elevators, wharfs, slips and piers at any point on the St. Lawrence River, or any of the lakes or rivers connected therewith, for the convenience and accommodation of railway ferries and vessels;

Ferries.

Transportation.

(*b.*) acquire and run railway ferries, steam and other vessels for cargo and passengers upon the St. Lawrence River, or any of the lakes or rivers connected therewith;

Power.

(*c.*) acquire or utilize water or steam power for the purpose of compressing air or generating electricity, for lighting, heating or motor purposes, and may dispose of surplus power generated by the Company's works and not required for the undertaking of the Company;

Terminal facilities.

(*d*) acquire, construct and maintain railway terminal facilities in or near the city of Quebec.

Bonds on railway.

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

Bonds on other property.

10. The Company, being first authorized by a resolution passed at a special general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed capital stock of the Company are present or represented by proxy, may, from time to time, issue bonds or debentures in aid of the acquisition of any vessels or other property, other than the railway, which the Company is authorized to acquire, but such bonds and debentures shall not exceed in amount the value of such vessels or property.

Traffic agreements.

11. As soon as the agreement mentioned in section 7 of this Act has been entered into, the Company may enter into a traffic agreement with any railway company whose road now has or hereafter may have a terminus, or now or hereafter passes on either side of the River St. Lawrence, for the passage of both passengers and freight trains over its lines, (such agreement, however, to be subject to section 18 of chapter 98 of the statutes of 1887,) on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

12. The Company may enter into an agreement with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Quebec Central Railway Company, the Great Northern Railway Company, the Quebec and Lake St. John Railway Company, the Quebec Railway Light and Power Company, the South Shore Railway Company or the Canadian Electric Company, and also with the Government of Canada, and which agreement the said companies and Government are each of them hereby authorized to make, for the purchasing or leasing such portions of the line of railway or other property of any of said companies and Government as may be required for carrying on the undertakings of the Company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Agreement with another company.

Approval of shareholders and Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.

Notice of application for sanction.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

Agreement to be filed with Secretary of State.

No. 67.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Quebec Terminal and Railway Company.

First reading, March 14, 1901.

(PRIVATE BILL.)

MR. MALOUIN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 68.] **BILL.** [1901.

An Act respecting the McClary Manufacturing Company.

WHEREAS the McClary Manufacturing 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. Section 3 of chapter 116 of the statutes of 1882, is repealed, and the following is substituted therefor:— 1882, c. 116 amended.

"**3.** The objects of the Company shall be the carrying on of and engaging in the business of manufacturers of and dealers in stoves, stove furniture, hollow-ware, stove boards, iron, tin, copper, zinc, pressed, pieced, spun, enamelled and japanned ware, and all kinds of agricultural implements and general machinery, and iron and general founding, hardware, nickel plating, and the purchase and sale of all kinds of metals, merchandise, tools and other things required or used by stove, tinware or hardware dealers or manufacturers, and the carrying on of all such other business as is usually carried on in connection therewith or as incidental thereto." Business of Company.

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

"**4.** The principal place of business of the Company shall be in the city of London, in the province of Ontario, and may be, from time to time, changed by by-law of the directors of the Company to any other place in the province of Ontario, or to any place in the province of Quebec; and branch agencies or offices of the Company may be established in any other cities, towns or places in Canada or elsewhere, in which the Company may see fit to carry on business." Head office. Branch offices.

3. Section 5 of the said Act is repealed, and the following is substituted therefor:— Section 5 amended.

"**5.** The capital stock of the Company shall be one hundred thousand dollars, divided into shares of one hundred dollars each, and shall be deemed personal estate, and be transferable only in such manner and subject to such conditions and restrictions as are herein mentioned, and as by the by-laws of the Company shall be directed and prescribed. Capital stock.

"2. After the whole amount of the capital stock has been paid up it may be increased from time to time to any amount not Increase of capital.

exceeding three million dollars, by a vote of shareholders representing two thirds in value of the capital stock present or represented by proxy at any annual or any special general meeting of the Company called for the purpose."

No. 68.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the McClary Manufacturing Company.

First reading, March 15, 1901.

(PRIVATE BILL.)

MR. HYMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 69.] **BILL.** [1901.

An Act to incorporate the St. Lawrence 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:— Preamble.

1. Michael Patrick Davis, Duncan Byron McTavish, D'Arcy Scott, Robert J. Devlin and William Hepburn Curle, all of the city of Ottawa, in the county of Carleton, and province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of the "St. Lawrence Power Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act are constituted the first or provisional directors of the Company, a majority of whom shall form a quorum; and they may forthwith open stock books and procure subscriptions of stock for the undertaking, and receive payments on account of stock subscribed, and carry on the business of the Company. Provisional directors.

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

4. The directors may, with the approval of the Governor in Council, after the whole capital stock has been subscribed for, and fifty per cent paid in thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding five million dollars, but the stock shall not be so increased until a resolution of the board of directors, authorizing such increase, has first been submitted to and approved of by a special general meeting of the shareholders duly called for that purpose, at which meeting shareholders representing at least two-thirds of the capital stock are present or represented by proxy. Increase of capital.

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

6. As soon as twenty-five per cent of the capital stock has been subscribed and ten per cent of the amount has been paid First meeting of Company.

into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at the city of Ottawa, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of five directors.

Notice of meeting.

2. Notice of such meeting shall be sufficiently given by mailing the same, postage prepaid, to the last known post office address of each shareholder at least ten days previous to the date of such meeting.

Annual meeting.

7. The annual general meeting of the shareholders shall be held on the third Monday in September in each year, or on such other day in each year as the directors from time to time determine by by-law.

Election of directors.

2. At such meeting the shareholders present or represented by proxy who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors and a majority of whom shall be a quorum.

Proxies.

3. Only shareholders eligible to vote may hold proxies at any meeting of the Company.

Qualification of directors.

4. Every director shall hold at least ten shares of the capital stock of the Company.

Powers of Company.

8. The Company may—

Electricity, water, gas, etc.

(*a*) manufacture, use, supply and dispose of electricity, water and gas, and water, hydraulic or other power by means of wires, cables, pipes, conduits, machinery or other appliances; and construct, maintain and operate works for the production, sale and distribution thereof, and for the purposes aforesaid

Canals. Water powers.

may construct, acquire, use, maintain and operate canals, water-courses, raceways and water powers in or adjacent to the St. Lawrence River at any points eastward from Dickinson's Landing, in the county of Stormont, in the province of Ontario, and construct dams, wing-dams, sluices, conduits and buildings

Proviso.

in connection therewith: Provided that the works hereby authorized shall not be commenced until the plans thereof have first been submitted to and approved of by the Governor in Council;

Patent rights.

(*b*) acquire patent rights, letters patent of invention, processes, options, and other rights and privileges and again dispose thereof;

Pulp.

(*c*) manufacture, acquire and dispose of pulp wood, pulp or the products thereof;

Chemicals and gas.

(*d*) manufacture and sell calcium carbide and all products produced in its manufacture; acetyline gas and other gases and products manufactured from calcium carbide;

Minerals.

(*e*) manufacture and deal in all minerals and the by-products thereof; construct furnaces, ovens and retorts for the reduction of such minerals;

Tramways, buildings and vessels.

(*f*) construct tramways, wharfs, docks, offices and all necessary buildings, and purchase, hire, build and repair vessels required for the business of the Company;

Vessels.

(*g*) construct, acquire and operate by electricity, steam or other motive power, vessels for the transportation of passengers

and freight, or towing of barges or other vessels in the River St. Lawrence and the lakes, canals and rivers connected therewith.

Power to enter on highway, etc.

9. The Company may, for the purpose of constructing and maintaining its lines, for the conveyance of light, heat, power or electricity, and for the purpose of laying its pipes and conduits, enter on any highway, square or other public place and, as often as the Company thinks proper, may break up and open any highway or public place, subject however to the following provisions :—

Travel not to be obstructed.

(*a*) The Company shall not interfere with the public right of travel, or in any way obstruct the entrance to any door or gateway, or free access to any building;

Height of wires.

(*b*) The Company shall not permit any wire to be less than twenty-two feet above such highway or public place, nor, without the consent of the municipal council, erect more than one line of poles along any highway;

Kind of poles.

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

Cutting poles or wires in case of fire.

(*d*) The Company shall not be entitled to damages on account of its poles or wires being cut by direction of the officer in charge of the fire brigade at any fire if, in the opinion of such officer, it is advisable that such poles or wires be cut;

Injury to trees.

(*e*) The Company shall not cut down or mutilate any shade, fruit or ornamental tree without the approval of the corporation of the municipality in which it is situate, and then only so far as it may be necessary;

Supervision of municipality.

(*f*) The opening up of streets for the erection of poles, or for carrying wires under ground, shall be subject to the direction and approval of such person as the municipal council appoints and shall be done in such manner as the said council directs; the council may also designate the places where such poles shall be erected; and such street, square or other public place shall, without any unnecessary delay, be restored, as far as possible, to its former condition, by and at the expense of the Company;

Surface of street to be restored.

Future legislation as to carrying wires under ground.

(*g*) In case efficient means are devised for carrying telegraph or telephone wires under ground, no Act of Parliament requiring the Company to adopt such means, and abrogating the right given by this section to carry lines on poles, shall be deemed an infringement of the privileges granted by this Act, and the Company shall not be entitled to damages therefor;

Workmen to wear badges.

(*h*) Every person employed upon the work of erecting or repairing any line or instrument of the Company shall have conspicuously attached to his dress a badge on which are legibly inscribed the name of the Company and a number by which he can be readily identified;

Private rights.

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

Temporary removal of wires and poles.

(*j*) If, for the purpose of removing buildings, or in the exercise of the public right of travel, it is necessary that the said wires or poles be temporarily removed, by cutting or otherwise, the Company shall, at its own expense, upon reason-

able notice in writing from any person requiring it, remove such wires and poles, and in default of the Company so doing, such person may remove such wires and poles at the expense of the Company. The said notice may be given either at any office of the Company, or to any agent or officer of the Company in the municipality wherein are the wires or poles required to be removed, or, in the case of a municipality wherein there is no such agent or officer, then, either at the head office, or to any agent or officer of the Company in the nearest or any adjoining municipality to that in which such wires or poles are;

Notice to Company.

Liability for damage.

(*k*) The Company shall be responsible for all damage which it causes to ornamental, shade, or fruit trees, and otherwise for all unnecessary damage which it causes in carrying out or maintaining any of its said works.

Bond issue.

10. The Company may issue bonds, debentures or other securities in the manner provided by section 93 of *The Railway Act* to an amount not exceeding fifty per cent of the capital stock of the Company.

Agreement with another company.

11. The Company may acquire and operate the works of any company having powers wholly or in part similar to the powers of the Company, and may acquire the capital stock, bonds, rights, franchises, powers, privileges or properties of any such company, and may enter into agreements for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties in which the works of the Company are situate, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in sub-section 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

Issue of paid up shares.

12. In addition to the powers conferred by section 39 of *The Railway Act* the directors of the Company elected by the shareholders may make and issue as paid-up stock shares in the Company, whether subscribed for or not, and may allot and hand over such stock in payment for property of any kind acquired by the Company; and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls.

1888, c. 29, s. 39.

13. The powers granted by this Act shall cease and be null and void unless works of the Company capable of producing at least one thousand horse-power are completed within three years from the passing of this Act, and notwithstanding anything contained in any Act of Parliament. When charter may expire.

14. *The Railway Act* so far as applicable, and when not inconsistent with this Act, shall apply to the Company and its undertaking. 1888, c. 29.

2. Wherever in *The Railway Act* the word "company" occurs, it shall mean the Company hereby incorporated. "Company."

3. Wherever in *The Railway Act* the word "railway" occurs, it shall, unless the context otherwise requires, and in so far as it applies to the provisions of this Act, or the Company hereby incorporated, mean the works authorized by this Act to be constructed or carried on. "Railway."

4. Wherever in *The Railway Act* the word "land" occurs, it shall be held to include any privilege or easement acquired by the Company for constructing or operating its works. "Land."

15. *The Companies Clauses Act* shall not apply to the Company. R.S.C., c. 118.

No. 69.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the St. Lawrence Power Company.

First reading, March 15, 1901.

(PRIVATE BILL.)

MR. LOGAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 69.] **BILL.** [1901.

An Act to incorporate the St. Lawrence Power Company.

(Reprinted as amended and reported by the Miscellaneous Private Bills Committee.)

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

1. Michael Patrick Davis, Duncan Byron McTavish, D'Arcy Scott, Robert J. Devlin and William Hepburn Curle, all of the city of Ottawa, in the county of Carleton, and province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of the "St. Lawrence Power Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act are constituted the first or provisional directors of the Company, a majority of whom shall form a quorum; and they may forthwith open stock books and procure subscriptions of stock for the undertaking, and receive payments on account of stock subscribed, and carry on the business of the Company. Provisional directors.

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

4. The directors may, with the approval of the Governor in Council, after the whole capital stock has been subscribed for, and fifty per cent paid in thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding five million dollars, but the stock shall not be so increased until a resolution of the board of directors, authorizing such increase, has first been submitted to and approved of by a special general meeting of the shareholders duly called for that purpose, at which meeting shareholders representing at least two-thirds of the capital stock are present or represented by proxy. Increase of capital.

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

6. As soon as twenty-five per cent of the capital stock has been subscribed and ten per cent of the amount has been paid First meeting of Company.

into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at the city of Ottawa, at which meeting the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of five directors.

Notice of meeting.

2. Notice of such meeting shall be sufficiently given by mailing the same, postage prepaid, to the last known post office address of each shareholder at least ten days previous to the date of such meeting.

Annual meeting.

7. The annual general meeting of the shareholders shall be held on the third Monday in September in each year, or on such other day in each year as the directors from time to time determine by by-law.

Election of directors.

2. At such meeting the shareholders present or represented by proxy who have paid all calls due on their shares, shall choose five persons to be directors of the Company, one or more of whom may be paid directors and a majority of whom shall be a quorum.

Proxies.

3. Only shareholders eligible to vote may hold proxies at any meeting of the Company.

Qualification of directors.

4. Every director shall hold at least ten shares of the capital stock of the Company.

Powers of Company.

8. The Company may—

Electricity, water, gas, etc.

(*a*) manufacture, use, supply and dispose of electricity, water and gas, and water, hydraulic or other power by means of wires, cables, pipes, conduits, machinery or other appliances; and construct, maintain and operate works for the production, sale and distribution thereof, and for the purposes aforesaid

Canals.

Water powers.

may construct, acquire, use, maintain and operate canals, water-courses, raceways and water powers in or adjacent to the St. Lawrence River on the north side thereof at any points eastward from Hoopel's Creek, in the county of Stormont, in the province of Ontario, to the eastern end of the Soulanges Canal, and construct dams, wing-dams, sluices, conduits and buildings

Proviso.

in connection therewith: Provided that the works hereby authorized shall not be commenced until the plans thereof have first been submitted to and approved of by the Governor in Council;

Patent rights.

(*b*) acquire patent rights, letters patent of invention, processes, options, and other rights and privileges and again dispose thereof;

Pulp.

(*c*) manufacture, acquire and dispose of pulp wood, pulp or the products thereof;

Chemicals and gas.

(*d*) manufacture and sell calcium carbide and all products produced in its manufacture; acetyline gas and other gases and products manufactured from calcium carbide;

Minerals.

(*e*) manufacture and deal in all minerals and the by-products thereof; construct furnaces, ovens and retorts for the reduction of such minerals;

Tramways, buildings and vessels.

(*f*.) construct tramways, wharfs, docks, offices and all necessary buildings, and purchase, hire, build and repair vessels required for the business of the Company;

Vessels.

(*g*) construct, acquire and operate by electricity, steam or other motive power, vessels for the transportation of passengers

and freight, or towing of barges or other vessels in the River St. Lawrence and the lakes, canals and rivers connected therewith.

Power to enter on highway, etc.

9. The Company, for the purpose of constructing and maintaining its works, may, with the consent of the municipal council or other authority having jurisdiction over any highway, square or other public place, enter thereon, and, as often as the Company thinks proper, may, with the like consent, break up and open any part thereof, subject however to the following provisions :—

Travel not to be obstructed.

(*a*) The Company shall not interfere with the public right of travel, or in any way obstruct the entrance to any door or gateway, or free access to any building ;

Height of wires.

(*b*) The Company shall not permit any wire to be less than twenty-two feet above such highway or public place ;

Kind of poles.

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

Cutting poles or wires in case of fire.

(*d*) The Company shall not be entitled to damages on account of its poles or wires being cut by direction of the officer in charge of the fire brigade at any fire if, in the opinion of such officer, it is advisable that such poles or wires be cut ;

Injury to trees.

(*e*) The Company shall not cut down or mutilate any shade, fruit or ornamental tree without the approval of the corporation of the municipality in which it is situate, and then only so far as it may be necessary ;

Supervision of municipality.

(*f*) The opening up of streets for the erection of poles, or for carrying wires under ground, shall be subject to the direction and approval of such person as the municipal council appoints and shall be done in such manner as the said council directs ; the council may also designate the places where such poles shall be erected ; and such street, square or other public place shall, without any unnecessary delay, be restored, as far as possible, to its former condition, by and at the expense of the Company ;

Surface of street to be restored.

Future legislation as to carrying wire under ground.

(*g*) In case efficient means are devised for carrying telegraph or telephone wires under ground, no Act of Parliament requiring the Company to adopt such means, and abrogating the right given by this section to carry lines on poles, shall be deemed an infringement of the privileges granted by this Act, and the Company shall not be entitled to damages therefor ;

Workmen to wear badges.

(*h*) Every person employed upon the work of erecting or repairing any line or instrument of the Company shall have conspicuously attached to his dress a badge on which are legibly inscribed the name of the Company and a number by which he can be readily identified ;

Private rights.

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

Temporary removal of wires and poles.

(*j*) If, for the purpose of removing buildings, or in the exercise of the public right of travel, it is necessary that the said wires or poles be temporarily removed, by cutting or otherwise, the Company shall, at its own expense, upon reasonable notice in writing from any person requiring it, remove such wires and poles, and in default of the Company so doing,

Notice to Company.

such person may remove such wires and poles at the expense of the Company. The said notice may be given either at any office of the Company, or to any agent or officer of the Company in the municipality wherein are the wires or poles required to be removed, or, in the case of a municipality wherein there is no such agent or officer, then, either at the head office, or to any agent or officer of the Company in the nearest or any adjoining municipality to that in which such wires or poles are;

Liability for damage.

(*k*) The Company shall be responsible for all damage which it causes to ornamental, shade, or fruit trees, and otherwise for all unnecessary damage which it causes in carrying out or maintaining any of its said works.

Borrowing powers.

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

Amount limited.

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

Agreement with another company.

11. The Company may acquire and operate the works of any company having powers wholly or in part similar to the powers of the Company, and may acquire the capital stock, bonds, rights, franchises, powers, privileges or properties of any such company, and may enter into agreements for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties in which the works of the Company are situate, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in sub-section 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

12. The directors elected by the shareholders may make and issue as paid-up stock shares in the Company, whether subscribed for or not, and may allot and hand over such stock in payment for property, plant or materials, of any kind acquired by the Company ; and such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls. Issue of paid up shares. 1888, c. 29, s. 39.

13. The powers granted by this Act shall cease and be null and void unless works of the Company capable of producing at least one thousand horse-power are completed within three years from the passing of this Act, and notwithstanding anything contained in any Act of Parliament. When charter may expire.

14. Lands actually required for the construction and maintenance of the power canals, water courses, raceways and reservoirs necessary for the utilization or operation of water powers belonging to the Company may be taken and acquired by the Company ; and to this end, after a plan of such lands has been approved of by the Governor in Council, all the provisions of *The Railway Act* which are applicable to such taking and acquisition shall, so far as they are applicable, apply as if they were included in this Act ; and all the provisions of *The Railway Act* which are applicable shall, in like manner, apply to the ascertainment and the payment of the compensation for, or damages to, lands arising out of such taking and acquisition, or the construction or maintenance of the works of the Company, or the exercise of any of its powers under this section. Expropriation pewers. 1888, c. 29.

2. This section shall only apply to lands in or adjacent to the St. Lawrence River between the mouth of Hoopel's Creek and the eastern end of Sheik's Island, and to land not more than two miles distant from the Soulanges Canal and lying between the most westerly confluence of the St. Lawrence River and the Ottawa River and a point not exceeding five miles in a westerly direction from the eastern terminus of the Soulanges Canal. What lands may be expropriated.

No. 69.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the St. Lawrence Power Company.

(*Reprinted as amended and reported by the Miscellaneous Private Bills Committee.*)

(PRIVATE BILL.)

MR. LOGAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No 70.] **BILL.** [1901.

An Act respecting the E. B. Eddy Company.

Preamble.

WHEREAS the E. B. Eddy 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:—

Power to acquire stock in other companies.

1. The E. B. Eddy Company may acquire, hold, sell and otherwise dispose of shares in the stock of any company whose powers include the power to carry on all or any of the businesses of generating or otherwise producing, supplying, selling or otherwise disposing of light, heat or power.

R.S.C., c. 118.

2. From and after the passing of this Act, section 39 of *The Companies Clauses Act* shall not apply to the E. B. Eddy Company.

No. 70.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the E. B. Eddy Company.

First reading, March 15, 1901.

(PRIVATE BILL.)

MR. CHAMPAGNE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 71.] **BILL.** [1901.

An Act respecting the Hudson's Bay and Pacific Railway Company.

Preamble.

WHEREAS the Hudson's Bay and 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 :—

1896 (2nd Sess.) c. 7.

Time extended.

1888, c. 29.

1898, c. 65.

1. Notwithstanding anything contained in section 89 of *The Railway Act*, or in section 3 of chapter 65 of the statutes of 1898, the railway of the Hudson's Bay and Pacific Railway Company may be commenced, and fifteen per cent of the amount of the capital stock expended thereon, within three years from the first day of October, nineteen hundred.

No. 71.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the Hudson's Bay and Pacific Railway Company.

First reading, March 15, 1901.

(PRIVATE BILL.)

Mr. Oliver.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 72.] **BILL.** [1901.

An Act to incorporate the Kettle River 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, declares and enacts as follows:— Preamble.

1. Joseph Benjamin McArthur, John Ferguson McCrae, James M. Martin and William P. Tierney, all of the city of Rossland in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Kettle River Valley 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 one million five hundred thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be in the city of Grand Forks, British Columbia, but the directors may, by by-law, change the head office to any other place in Canada. Head office.

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

7. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose not less than five persons to be directors of the Company, one or more of whom may be paid directors. Election of 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 Canadian side of the international boundary line at or near Cascade City in the Osoyoos division of Yale district, province of British Columbia, thence along the Kettle River in a westerly direction by the most feasible route to a point at or near the cities of Grand Forks and Columbia, thence to a point on the Canadian side of the Line of railway described.

international boundary line at or near Carson in the said Osoyoos division of Yale district, British Columbia.

Branch lines.

9. The Company may also lay out, construct and operate the following branch lines :—

(*a.*) From a point in or near the city of Grand Forks on its main line on the westerly side of the north fork of the Kettle River to Franklin Camp for a distance of about thirty-five miles.

(*b.*) From a point on its main line between the city of Columbia and the town of Carson to Fourth of July Creek, and thence by the most feasible route to the city of Phœnix and to the various mines situated within a radius of five miles of the said city of Phœnix.

Telegraph and telephone lines.

10. The Company may construct and operate a telegraph line and telephone lines all along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public, and for the purpose of erecting and working such telegraph and telephone lines the Company may enter into a contract with any other company.

Arrangements with telegraph and telephone companies.

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

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraph or telephones of the Company, until such rates or charges have been approved of by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

Compressed air and electricity.

11. The Company may, for the purposes of its undertaking, acquire and utilize water and steam power for the purpose of compressing air or generating electricity for lighting, heating or moter purposes, and it may dispose of surplus power generated by the Company's works and not required for the undertaking of the Company.

Motive power.

2. In addition to the powers contained in paragraph (*k*) of section 90 of the *The Railway Act*, the Company may work and operate its line of railway, or any part thereof, by the force and power of liquid or compressed air.

1888, c. 29.

Bonds on railway.

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

Bonds on other property.

13. The directors, under authority of a resolution of the shareholders passed at the first general meeting of the shareholders, or at any special meeting called for that purpose, or at any annual meeting at which shareholders representing at least two thirds in value of the issued capital stock of the Company are present or represented by proxy, may, from time to time at their discretion, borrow money for the purposes of the

Company, and may issue bonds or debentures in respect thereof, and secure the repayment of the said moneys in such manner and upon such terms and conditions as they see fit, and for this purpose may mortgage, pledge, hypothecate or charge any of the assets and property of the Company other than the railway.

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

14. The Company may enter into an agreement with the Columbia and Western Railway Company, the Canadian Pacific Railway Company or the Victoria, Vancouver and Eastern Railway Company for conveying or leasing to such company the railway of the Company in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it; at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council. Agreement with another company. Approval of shareholders and Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs and in which a newspaper is published. Notice of application for sanction.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with. Agreement to be filed with Secretary of State.

No. 72.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Kettle River Valley Railway Company.

First reading, March 15, 1901.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 73.] **BILL.** [1901.

An Act respecting the Vancouver, Westminster, Northern and Yukon Railway Company.

WHEREAS the Vancouver, Westminster, Northern and Yukon Railway Company has, by its petition, represented that it was incorporated by chapter 89 of the statutes of the province of British Columbia of 1899, under the name of the Vancouver, Northern and Yukon Railway Company, and that by chapter 55 of the statutes of 1900 the name of the said company was changed to the Vancouver, Westminster, Northern and Yukon Railway Company, 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, declares and enacts as follows:— Preamble. B.C., 1899, c. 89. B.C., 1900, c. 55.

1. In this Act the expression "the Company" means the body corporate and politic created by the Acts mentioned in the preamble, and the works which the Company by the said Acts is empowered to undertake and operate are declared to be for the general advantage of Canada. Declaratory.

2. Nothing herein contained shall affect anything done, or any right or privilege acquired, or any liability incurred under the said Act of incorporation up to and at the time of the passing of this Act, to all of which rights and privileges the Company shall continue to be entitled, and to all of which liabilities the Company shall continue to be subject. Existing rights not affected.

3. The Company may extend its line of railway from its northern terminus, at the boundary of British Columbia, in a northerly direction across the said northern boundary and into the North-West Territory, to Dawson City, in the Yukon Territory, and thence along the Yukon River to the westerly boundary of the Yukon Territory, which said westerly boundary forms the eastern boundary of the Territory of Alaska. Extension of railway.

4. The Company may construct or acquire, and operate such branch lines and extensions as may, from time to time, be authorized by the Governor in Council. Branch lines.

5. The Company may construct, acquire, maintain and operate all bridges, warehouses, steam and other vessels, ferries, timber lands, wharfs, roads, water rights, water powers, buildings, steam and electrical plant necessary and incidental to the carrying on of the undertaking of the Company, and dispose thereof. Bridges, vessels, lands, works, etc.

Bond issue.

6. The Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of its railway and branches, including all extensions made in pursuance hereof, but such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed, or under contract to be constructed.

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties, or electoral districts, through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 73.

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

BILL

An Act respecting the Vanc
Westminster, Northern and
Railway Company.

First reading, March 15, 190

(PRIVATE BILL.)

MR. MORR

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majes
1901

No. 74.] **BILL.** [1901.

An Act to amend the law respecting Elections in the North-west Territories.

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

1900, c. 12, new s. 2.

1. Section 2 of *The Dominion Elections Act*, 1900, is repealed and the following is substituted therefor :—

Application to N. W. T.

"**2.** The following provisions of this Act shall apply to elections in the North-west Territories, so far as they are applicable and are not inconsistent with the provisions of the *North-west Territories Representation Act*, as amended, that is to say : Sections 4 to 7, both inclusive ; section 9 ; section 41, paragraphs (*c*) (*d*) and (*h*) of subsection 1, and subsection 2 ; sections 43 to 59, both inclusive ; sections 62 and 63 ; section 64, subsections 1 and 2 ; sections 69 to 150, both inclusive ; and sections 152 to 154, both inclusive ; together with the forms mentioned in the said sections and parts of sections ; but otherwise, except as provided by the *North-west Territories Representation Act* or any amendment thereto, this Act shall not apply to the North-west Territories."

R.S.C., c. 7.

R.S.C., c. 7, s. 48 amended.

2. Section 48 of *The North-west Territories Representation Act*, is amended by adding thereto the following subsections :—

Qualified elector entitled to certificate.

"2. Every enumerator shall give, at any time within the eight days provided for in section 30 of this Act, to any qualified elector who is on the list in his polling division, a certificate that he is a qualified elector in such polling division.

Where enumerator is to be found.

"3. Every enumerator shall state at the foot of the list of persons qualified to vote in the polling division for which he has been appointed enumerator one settled place or office where, during the eight days preceding the day of the election, he may be found for the purpose of revising the list or issuing certificates as provided by this Act ; and any enumerator who refuses a person qualified to vote in such polling division, or who absents himself so that persons qualified to vote at such polling division cannot obtain a certificate, is guilty of an offence and liable to imprisonment for not more than three months and not less than one month ; and any person may institute legal proceedings against any enumerator guilty of this offence.

Penalty for not giving certificate.

Prosecution.

Penalty for issuing blank certificates.

"4. Any enumerator who issues blank certificates is guilty of an offence and liable to imprisonment for not more than three months and not less than one month ; and any person may institute legal proceedings against any enumerator guilty of this offence.

Penalty for omitting from list name of qualified elector.

"5. Any enumerator who wilfully leaves off the list the name of any duly qualified elector is guilty of an offence under this Act, and is liable to a fine of one hundred dollars, for which any person may sue or institute legal proceedings, or to imprisonment for a term not exceeding three months in default of payment of such fine.

Deputy returning officer refusing qualified voter.

"6. Any deputy returning officer who refuses to allow a duly qualified elector to vote is guilty of an offence under this Act and liable to imprisonment for not more than three months and not less than one month."

1894, c. 15, secs. 4 and 5 repealed.

3. Sections 4 and 5 of chapter 15 of the statutes of 1894 are repealed.

No. 74.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the law respecting Elections in the North West Territories.

First reading, March 15, 1901.

MR. ROCHE,
(Marquette.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 75.] **BILL.** [1901.

An Act respecting the Canadian Northern Railway Company.

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

1. The agreements of amalgamation dated respectively the twenty-eighth day of April, nineteen hundred, and the third day of May, nineteen hundred, made between the Canadian Northern Railway Company and the Manitoba and South-Eastern Railway Company, and between the Canadian Northern Railway Company and the Ontario and Rainy River Railway Company, which agreements are respectively set forth in schedules A and B to this Act, are confirmed and declared to be binding and operative according to the tenor thereof. Schedules confirmed.

2. The Canadian Northern Railway Company, hereinafter called "the Company," may make traffic, running, operating and other arrangements by way of lease or otherwise and on such terms as may be agreed on, with the bridge company owning the portion, in the state of Minnesota, of the bridge across the Rainy River connecting the Company's line with the line of the Minnesota and Manitoba Railway Company, respecting the said portion of the said bridge and the approaches thereto and appurtenances. Agreement with bridge company, Rainy River.

3. The Company may make traffic, running, operating and other arrangements by way of lease or otherwise, and on such terms as may be agreed on, with the Minnesota and Manitoba Railway Company respecting that company's lines of railway and rolling stock and undertaking and appurtenances, and respecting the interchange and carriage of traffic between and over the lines of the said two companies. Traffic agreements with Minnesota and Manitoba Railway Co.

4. The Company may lay out, construct, and operate the following lines of railway, namely:— Lines of railway authorized.

(*a*) commencing at a point on the Company's line between Winnipeg and Marchand, thence in a generally westerly direction to a point at or near Carman, thence in a generally westerly direction passing through or near Belmont to the western boundary of Manitoba;

(*b.*) commencing at a point on the last mentioned line between Carman and the Red River, thence in a generally northwesterly direction to a point at ornear Portage la Prairie;

(*c.*) commencing at a point on said first mentioned line west of Carman, thence in a generally southerly direction passing through or near Manitou to the international boundary ;

(*d.*) commencing at a point on the line between Carman and the Red River, thence in a generally southerly direction to a point at or near Emerson, and commencing at a point on said line thence in a generally easterly direction along or near the row of townships numbered one to a point on the Company's main line between Vassar and Sprague ;

(*e.*) commencing at a point ten miles north of the Company's line between Winnipeg and Ste. Anne, thence in a generally southerly direction to the international boundary ;

(*f.*) commencing at a point on the Company's line at or near the end of the forty miles constructed by the Winnipeg Great Northern Railway Company, thence to or near the village of St. Laurent or to Oak Point on Lake Manitoba, thence in a generally northerly direction to a point at or near Grand Rapids on the Saskatchewan River ;

(*g.*) commencing at a point on the Company's line between Oakland and Macdonald, thence in a generally westerly direction to a point in or near Brandon, thence in a generally north-westerly direction to the provincial boundary at or near Township 15 or 16, thence in a generally north-westerly direction to a point on the Company's line north-west of Battleford.

Agreement with Edmonton, Yukon and Pacific Railway Co.

3. The Company may enter into an agreement with the Edmonton, Yukon and Pacific Railway Company for acquiring by purchase, lease or otherwise, in whole or in part, any rights or powers acquired under the Acts relating to that company, also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit, provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Application for sanction.

2. Unless the said agreement has been approved by every shareholder in each company party thereto, the sanction of the Governor in Council shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one of the newspapers in each of the counties through which the railway of the Company runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and thereupon such amalgamation shall be deemed to be complete and operative according to the terms of the said agreement, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

6. The said lines shall be commenced within three years and completed within seven years from the passing of this Act, otherwise the powers of the Company with respect thereto granted by this Act shall cease as respects so much of the said lines as then remains uncompleted. Time for construction limited.

SCHEDULE A.

This indenture made the 28th day of April, A.D. 1900: between the Canadian Northern Railway Company, hereinafter called the "Canadian Northern Company," of the first part, and the Manitoba and South Eastern Railway Company, hereinafter called the "South Eastern Company," of the second part.

Whereas, the companies parties hereto are companies under the legislative authority of the Parliament of Canada;

And whereas, the two companies parties hereto being duly empowered by statutory authority of the Parliament of Canada in that behalf, have agreed to amalgamate upon the terms and conditions hereinafter set out and this agreement has been duly submitted to the shareholders of each company as required by the statutes applicable to such amalgamation, at meetings duly called and held at which all the shareholders of the respective companies parties hereto were respectively present or represented by proxy;

And whereas, at such meetings respectively this agreement has been duly approved of and authorized by a unanimous vote of all said shareholders.

Now, therefore, this indenture witnesseth, as follows:—

1. In this agreement the phrase amalgamated company shall mean the company formed by the amalgamation of the companies parties hereto;

2. The Canadian Northern Company and the South Eastern Company hereby agree to amalgamate and form one company upon the terms and conditions hereinafter set out;

3. The name of the amalgamated company shall be "The Canadian Northern Railway Company;"

4. The amount of the capital stock of the amalgamated company, shall be sixteen million, seven hundred and fifty thousand dollars ($16,750,000), being the total of the capitals of the two companies parties hereto; the said capital shall be divided into shares of one hundred dollars each.

5. The head office of the amalgamated company shall be at the city of Toronto, province of Ontario, or at such other place as the board of directors of the company may by by-law prescribe;

6. The number of the board of directors shall be five, with power to increase the same from time to time by by-law to any number not exceeding ten. The first directors shall be Frederic Nicholls, James Gunn, J. M. Smith, H. E. Harcourt-Vernon and Z. A. Lash, all of the city of Toronto; and they shall hold office until the first annual meeting of the company for the election of directors or until their successors are appointed;

7. Each shareholder in the Canadian Northern Company shall be entitled to receive and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company, issued as fully paid up and free from calls and other liability for every hundred dollars paid up upon the shares held by him or to which under any contract with the Canadian Northern Company he may be or become entitled in the capital of the Canadian Northern Company.

8. Each shareholder in the South Eastern Company shall be entitled to receive and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company issued as fully paid up and free from calls and other liability for every hundred dollars paid up upon the shares held by him or to which under any contract with the South Eastern Company he may be, or become, entitled, in the capital of the South Eastern Company;

9. The amalgamated company shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real personal and mixed, of whatever kind and wheresoever situated belonging to, possessed by, or vested in each of the companies, or to which each may be or become entitled;

10. The amalgamated company shall become liable for and shall assume, carry out, pay and discharge all the contracts, obligations, debts and liabilities of each of the said companies; all the settlements and compromises with the debenture holders, creditors and others having claims against The Winnipeg Great Northern Railway Company (one of the predecessors of the Canadian Northern Company) party hereto authorized by clause 10 of the amalgamation agreement between The Winnipeg Great Northern Railway Company, confirmed by chapter 57 of the statutes of Canada for the year 1899, may be made by the directors of the amalgamated company; and as the consideration, or part thereof, of such settlements and compromises such directors may agree to issue, and may issue, stock in the capital of the amalgamated company as fully paid up and free from calls or other liability.

11. Nothing in this agreement contained, or done in pursuance thereof shall take away or prejudice any claim, demand right security, cause of action or complaint which any person, corporation or government has against either of the companies' parties, hereto, nor shall it relieve either of such companies from the payment or performance of any debt, liability, obligation, contract or duty, and no claim, action or proceeding by or against either of the said companies shall abate or be affected by this amalgamation but for all the purposes of such claim, action or proceeding, the amalgamated company may be substituted therein for the company against which the same may exist;

12. The by-laws, rules and regulations of the Canadian Northern Company, shall, so far as applicable be the by-laws, rules and regulations of the amalgamated company until repealed, amended, altered or added to by by-laws, rules or regulations of the amalgamated company;

13. An application shall be made to the Governor General in Council for an order sanctioning this agreement.

In witness whereof this indenture has been duly executed by the parties.

In the presence of:
MILLER LASH,
as to execution by both parties.

FREDERIC NICHOLLS,
President.
J. M. SMITH,
Secretary.
JAMES GUNN,
Vice President.
J. M. SMITH,
Secretary.

SCHEDULE B.

This indenture made the third day of May, A.D., 1900 between The Canadian Northern Railway Company, hereinafter called the "Canadian Northern Company," of the first part, and The Ontario and Rainy River Railway Company, hereinafter called the "Rainy River Company," of the second part.

Whereas the companies parties hereto are companies under the legislative authority of the Parliament of Canada.

And whereas the Canadian Northern Company is a company formed by the amalgamation of the Manitoba and South Eastern Railway Company and the Canadian Northern Railway Company duly affected by an agreement dated the 28th day of April, A.D., 1900, made in pursuance of statutory authority of the Parliament of Canada in that behalf and duly sanctioned by an order of the Governor General in Council, dated the 2nd day of May, A.D., 1900;

And whereas by the terms of said amalgamation the Canadian Northern Railway Company party hereto became and now is possessed of and vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real, personal and mixed, of whatever kind and wheresoever situated belonging to, possessed by, or vested in each of the said companies, parties to such amalgamation, or to which each might be or become entitled;

And whereas the two companies parties hereto being duly authorized by statutory authority of the Parliament of Canada in that behalf, have agreed to amalgamate upon the terms and conditions hereinafter set out, and this agreement had been duly submitted to the shareholders of each company, as required by the statutes applicable to such amalgamation at meetings duly called and held at which all the shareholders of the respective companies parties hereto were respectively present or represented by proxy;

And whereas at such meetings respectively this agreement has been duly approved of and authorized by a unanimous vote of all said shareholders;

Now therefore this indenture witnesseth,—

1. In this agreement the phrase "amalgamated company" shall mean the company formed by the amalgamation of the companies parties hereto;

2. The Canadian Northern Company and the Rainy River Company hereby agree to amalgamate and do hereby amalgamate and form one company upon the terms and conditions hereinafter set out;

3. The name of the amalgamated company shall be "The Canadian Northern Railway Company;"

4. The amount of the capital stock of the amalgamated company shall be twenty-four million seven hundred and fifty thousand dollars ($24,750,000), being the total of the capitals of the two companies parties hereto; the said capital shall be divided into shares of one hundred dollars each;

5. The head office of the amalgamated company shall be at the city of Toronto, province of Ontario, or at such other place of the board of directors of the company may by by-law prescribe;

6. The number of the board of directors shall be five, with power to increase same from time to time by by-law to any number not exceeding ten. The first directors shall be Frederic Nicholls, James Gunn, H. E. Harcourt-Vernon, J. M. Smith and Z. A. Lash, all of Toronto, and they shall hold office until the first annual meeting of the company for the election of directors or until their successors are appointed;

7. Each shareholder in the Canadian Northern Company shall be entitled to receive and there shall be issued to him by the amalgamated company one share in the capital stock of the amalgamated company issued as fully paid up and free from calls and other liability, for every hundred dollars paid up upon the shares held by him, or to which under any contract with the Canadian Northern Company, he may be or become entitled in the capital of the Canadian Northern Company;

8. Each shareholder in the Rainy River Company shall be entitled to receive and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company issued as fully paid up and free from calls and other liability for every hundred dollars paid up upon the shares held by him or to which by any contract with the Rainy River Company he may be or become entitled in the capital of the Rainy River Company.

8. The amalgamated company shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated, belonging to, possessed by, or vested in, each of the said companies, or to which each may be or become entitled;

10. The amalgamated company becomes liable for and shall assume, carry out, pay and discharge all the contracts, obligations, debts and liabilities of each of the said companies; all the settlements and compromises with the debenture holders, creditors and others having claims against the Winnipeg Great Northern Railway Company (one of the predecessors of the Canadian Northern Company) party hereto, authorized by clause 10 of the amalgamation agreement between the Winnipeg Great Northern Railway Company and the Lake Manitoba Railway and Canal Company, confirmed by chapter 57 of the statues of Canada for the year 1899, may be made by the directors of the amalgamated company; and as the consideration, or part thereof of such settlements and compro-

mises, such directors may agree to issue and may issue stock in the capital of the amalgamated company as fully paid up and free from calls or other liability;

11. Nothing in this agreement contained or done in pursuance thereof shall take away or prejudice any claim, demand, security, cause of action or complaint which any person, corporation or government has against either of the companies parties hereto, nor shall it relieve either of said companies from the payment or performance of any debt, liability, obligation, contract or duty; and no claim, action or proceeding by or against either of the said companies shall abate or be affected by this amalgamation, but for all the purposes of such claim, action, or proceeding, the amalgamated company may be substituted therein for the company against which the same may exist;

12. The by-laws, rules and regulations of the Canadian Northern Company shall, so far as applicable, be the by-laws, rules, or regulations of the amalgamated company until repealed, amended, altered or added to by by-laws, rules or regulations of the amalgamated company;

13. An application shall be made to the Governor General in Council for an order sanctioning this agreement.

In witness whereof this indenture has been duly executed by the parties.

In the presence of:
MILLER LASH,
as to execution by both parties.

FREDERIC NICHOLLS,
President.
J. M. SMITH,
Secretary,
JAMES GUNN,
Vice-President,
J. M. SMITH,
Secretary.

No. 75.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Canadian Northern Railway Company.

First reading, March 18, 1901.

(PRIVATE BILL.)

MR. MCCREARY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 75.] **BILL.** [1901.

An Act respecting the Canadian Northern Railway Company.

(Reprinted as proposed to be amended in the Railway Committee.)

Preamble.

WHEREAS the Canadian Northern 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:—

Schedules A and B confirmed.

1. The agreements of amalgamation dated respectively the twenty-eighth day of April, nineteen hundred, and the third day of May, nineteen hundred, made between the Canadian Northern Railway Company and the Manitoba and South-Eastern Railway Company, and between the Canadian Northern Railway Company and the Ontario and Rainy River Railway Company, which agreements are respectively set forth in schedules A and B to this Act, are confirmed and declared to be binding and operative according to the tenor thereof.

Agreement with bridge company, Rainy River.

2. The Canadian Northern Railway Company, hereinafter called "the Company," may make traffic, running, operating and other arrangements by way of lease or otherwise and on such terms as may be agreed on, with the bridge company owning the portion, in the state of Minnesota, of the bridge across the Rainy River connecting the Company's line with the line of the Minnesota and Manitoba Railway Company, respecting the said portion of the said bridge and the approaches thereto and appurtenances.

Traffic agreements with Minnesota and Manitoba Railway Co.

3. The Company may make traffic, running, operating and other arrangements by way of lease or otherwise, and on such terms as may be agreed on, with the Minnesota and Manitoba Railway Company respecting that company's lines of railway and rolling stock and undertaking and appurtenances, and respecting the interchange and carriage of traffic between and over the lines of the said two companies.

Lines of railway authorized.

4. The Company may lay out, construct, and operate the following lines of railway, namely:—

(*a*) commencing at a point on the Company's line between Winnipeg and Marchand, thence in a generally westerly direction to a point at or near Carman, thence in a generally westerly direction passing through or near Belmont to the western boundary of Manitoba;

(*b.*) commencing at a point on the last mentioned line between Carman and the Red River, thence in a generally northwesterly direction to a point at ornear Portage la Prairie;

(*c.*) commencing at a point on said first mentioned line west of Carman, thence in a generally southerly direction passing through or near Manitou to the international boundary ;

(*d.*) commencing at a point on the line between Carman and the Red River, thence in a generally southerly direction to a point at or near Emerson, and commencing at a point on said line thence in a generally easterly direction along or near the row of townships numbered one to a point on the Company's main line between Vassar and Sprague ;

(*e.*) commencing at a point ten miles north of the Company's line between Winnipeg and Ste. Anne, thence in a generally southerly direction to the international boundary ;

(*f.*) commencing at a point on the Company's line at or near the end of the forty miles constructed by the Winnipeg Great Northern Railway Company, thence to or near the village of St. Laurent or to Oak Point on Lake Manitoba, thence in a generally northerly direction to a point at or near Grand Rapids on the Saskatchewan River ;

(*g.*) commencing at a point on the Company's line between Oakland and Macdonald, thence in a generally westerly direction to a point in or near Brandon, thence in a generally north-westerly direction to the provincial boundary at or near Township 15 or 16, thence in a generally north-westerly direction to a point on the Company's line north-west of Battleford.

Agreement with Edmonton, Yukon and Pacific Railway Co.

5. The Company may enter into an agreement with the Edmonton, Yukon and Pacific Railway Company for acquiring by purchase, lease or otherwise, in whole or in part, any rights or powers acquired under the Acts relating to that company, also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit, provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Application for sanction.

2. Unless the said agreement has been approved by every shareholder in each company party thereto, the sanction of the Governor in Council shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one of the newspapers in each of the counties through which the railway of the Company runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and thereupon such amalgamation shall be deemed to be complete and operative according to the terms of the said agreement, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

6. The said lines shall be commenced within three years and completed within seven years from the passing of this Act, otherwise the powers of the Company with respect thereto granted by this Act shall cease as respects so much of the said lines as then remains uncompleted. Time for construction limited.

7. The indenture dated the eleventh day of February, nineteen hundred and one, set out in schedule C to this Act, and the indenture of lease therein referred to, dated the fifteenth day of January, nineteen hundred and one, are hereby respectively declared valid and binding according to the tenor thereof as to such of the parties thereto respectively as are subject to the legislative authority of Parliament. Schedule C confirmed.

8. The Company may, in the mortgage securing the bonds mentioned in paragraph five of the said indenture of the eleventh of February, nineteen hundred and one, agree to such terms to amplify and carry out the provisions of the said indenture, and such other terms as the Lieutenant Governor in Council of the province of Manitoba may deem necessary in the public interests, though the same may be at variance with any of the provisions of the said indenture. Agreement as to terms.

9. The Company, its successors and assigns are hereby granted the option, at any time during the term demised by the said indenture, to acquire and are hereby authorized and empowered to acquire absolutely the demised premises included in the indenture of lease dated the fifteenth day of January, nineteen hundred and one, recited in the indenture in schedule C to this Act, and all the franchises, rights and powers of the lessors in the said indenture of lease mentioned, free from encumbrances, for the sum of seven million dollars, and the said lessors their successors and assigns are hereby respectively required to and shall grant, assign and transfer to the Company, its successors or assigns, the said demised premises, franchises, rights and powers, free from encumbrances, on the said option being exercised, and on payment of the said sum of seven million dollars in the manner hereinafter mentioned. Power to acquire certain premises.

10. The said option shall be exercised by the Company, its successors or assigns giving to the Northern Pacific Railway Company or its successors written notice in that behalf The said sum of seven million dollars shall be paid into the Court of King's Bench of Manitoba, to be paid over and distributed as hereinafter provided for, and the same shall stand in lieu of the said demised premises, franchises, rights and powers, which shall thereupon become vested absolutely in the Company, its successors and assigns, free from encumbrances, and all necessary conveyances and transfers thereof shall be executed and delivered by the said lessors respectively. How option to be exercised.

11. The said sum shall be paid over and distributed to and among the said lessors and such persons and corporations interested in the said demised premises as mortgagees, bondholders or otherwise, and in such priorities as the said court may order; and for the purpose of ascertaining those interested and the amount of their interests and of ordering the proper distribution of the said money and of carrying out and giving How moneys to be payable.

full effect to the provisions of sections 9, 10 and 11 of this Act the said court is hereby vested with full power and jurisdiction.

SCHEDULE A.

This indenture made the 28th day of April, A.D. 1900: between the Canadian Northern Railway Company, hereinafter called the "Canadian Northern Company," of the first part, and the Manitoba and South Eastern Railway Company, hereinafter called the "South Eastern Company," of the second part.

Whereas, the companies parties hereto are companies under the legislative authority of the Parliament of Canada;

And whereas, the two companies parties hereto being duly empowered by statutory authority of the Parliament of Canada in that behalf, have agreed to amalgamate upon the terms and conditions hereinafter set out and this agreement has been duly submitted to the shareholders of each company as required by the statutes applicable to such amalgamation, at meetings duly called and held at which all the shareholders of the respective companies parties hereto were respectively present or represented by proxy;

And whereas, at such meetings respectively this agreement has been duly approved of and authorized by a unanimous vote of all said shareholders.

Now, therefore, this indenture witnesseth, as follows:—

1. In this agreement the phrase amalgamated company shall mean the company formed by the amalgamation of the companies parties hereto;

2. The Canadian Northern Company and the South Eastern Company hereby agree to amalgamate and form one company upon the terms and conditions hereinafter set out;

3. The name of the amalgamated company shall be "The Canadian Northern Railway Company;"

4. The amount of the capital stock of the amalgamated company, shall be sixteen million, seven hundred and fifty thousand dollars ($16,750,000), being the total of the capitals of the two companies parties hereto; the said capital shall be divided into shares of one hundred dollars each.

5. The head office of the amalgamated company shall be at the city of Toronto, province of Ontario, or at such other place as the board of directors of the company may by by-law prescribe;

6. The number of the board of directors shall be five, with power to increase the same from time to time by by-law to any number not exceeding ten. The first directors shall be Frederic Nicholls, James Gunn, J. M. Smith, H. E. Harcourt-Vernon and Z. A. Lash, all of the city of Toronto; and they shall hold office until the first annual meeting of the company for the election of directors or until their successors are appointed;

7. Each shareholder in the Canadian Northern Company shall be entitled to receive and there shall be issued to him by the amalgamated company, one share in the capital stock of

the amalgamated company, issued as fully paid up and free from calls and other liability for every hundred dollars paid up upon the shares held by him or to which under any contract with the Canadian Northern Company he may be or become entitled in the capital of the Canadian Northern Company.

8. Each shareholder in the South Eastern Company shall be entitled to receive and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company issued as fully paid up and free from calls and other liability for every hundred dollars paid up upon the shares held by him or to which under any contract with the South Eastern Company he may be, or become, entitled, in the capital of the South Eastern Company;

9. The amalgamated company shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real personal and mixed, of whatever kind and wheresoever situated belonging to, possessed by, or vested in each of the companies, or to which each may be or become entitled;

10. The amalgamated company shall become liable for and shall assume, carry out, pay and discharge all the contracts, obligations, debts and liabilities of each of the said companies; all the settlements and compromises with the debenture holders, creditors and others having claims against The Winnipeg Great Northern Railway Company (one of the predecessors of the Canadian Northern Company) party hereto authorized by clause 10 of the amalgamation agreement between The Winnipeg Great Northern Railway Company, confirmed by chapter 57 of the statutes of Canada for the year 1899, may be made by the directors of the amalgamated company; and as the consideration, or part thereof, of such settlements and compromises such directors may agree to issue, and may issue, stock in the capital of the amalgamated company as fully paid up and free from calls or other liability.

11. Nothing in this agreement contained, or done in pursuance thereof shall take away or prejudice any claim, demand right security, cause of action or complaint which any person, corporation or government has against either of the companies' parties, hereto, nor shall it relieve either of such companies from the payment or performance of any debt, liability, obligation, contract or duty, and no claim, action or proceeding by or against either of the said companies shall abate or be affected by this amalgamation but for all the purposes of such claim, action or proceeding, the amalgamated company may be substituted therein for the company against which the same may exist;

12. The by-laws, rules and regulations of the Canadian Northern Company, shall, so far as applicable be the by-laws, rules and regulations of the amalgamated company until repealed, amended, altered or added to by by-laws, rules or regulations of the amalgamated company;

13. An application shall be made to the Governor General in Council for an order sanctioning this agreement.

In witness whereof this indenture has been duly executed by the parties.

In the presence of:
MILLER LASH,
as to execution by both parties.

FREDERIC NICHOLLS,
President.
J. M. SMITH,
Secretary.
JAMES GUNN,
Vice President.
J. M. SMITH,
Secretary.

SCHEDULE B.

This indenture made the third day of May, A.D., 1900 between The Canadian Northern Railway Company, hereinafter called the "Canadian Northern Company," of the first part, and The Ontario and Rainy River Railway Company, hereinafter called the "Rainy River Company," of the second part.

Whereas the companies parties hereto are companies under the legislative authority of the Parliament of Canada.

And whereas the Canadian Northern Company is a company formed by the amalgamation of the Manitoba and South Eastern Railway Company and the Canadian Northern Railway Company duly affected by an agreement dated the 28th day of April, A.D., 1900, made in pursuance of statutory authority of the Parliament of Canada in that behalf and duly sanctioned by an order of the Governor General in Council, dated the 2nd day of May, A.D., 1900;

And whereas by the terms of said amalgamation the Canadian Northern Railway Company party hereto became and now is possessed of and vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real, personal and mixed, of whatever kind and wheresoever situated belonging to, possessed by, or vested in each of the said companies, parties to such amalgamation, or to which each might be or become entitled;

And whereas the two companies parties hereto being duly authorized by statutory authority of the Parliament of Canada in that behalf, have agreed to amalgamate upon the terms and conditions hereinafter set out, and this agreement had been duly submitted to the shareholders of each company, as required by the statutes applicable to such amalgamation at meetings duly called and held at which all the shareholders of the respective companies parties hereto were respectively present or represented by proxy;

And whereas at such meetings respectively this agreement has been duly approved of and authorized by a unanimous vote of all said shareholders;

Now therefore this indenture witnesseth,—

1. In this agreement the phrase "amalgamated company" shall mean the company formed by the amalgamation of the companies parties hereto;

2. The Canadian Northern Company and the Rainy River Company hereby agree to amalgamate and do hereby amalgamate and form one company upon the terms and conditions hereinafter set out;

3. The name of the amalgamated company shall be "The Canadian Northern Railway Company;"

4. The amount of the capital stock of the amalgamated company shall be twenty-four million seven hundred and fifty thousand dollars ($24,750,000), being the total of the capitals of the two companies parties hereto; the said capital shall be divided into shares of one hundred dollars each;

5. The head office of the amalgamated company shall be at the city of Toronto, province of Ontario, or at such other place of the board of directors of the company may by by-law prescribe;

6. The number of the board of directors shall be five, with power to increase same from time to time by by-law to any number not exceeding ten. The first directors shall be Frederic Nicholls, James Gunn, H. E. Harcourt-Vernon, J. M. Smith and Z. A. Lash, all of Toronto, and they shall hold office until the first annual meeting of the company for the election of directors or until their successors are appointed;

7. Each shareholder in the Canadian Northern Company shall be entitled to receive and there shall be issued to him by the amalgamated company one share in the capital stock of the amalgamated company issued as fully paid up and free from calls and other liability, for every hundred dollars paid up upon the shares held by him, or to which under any contract with the Canadian Northern Company, he may be or become entitled in the capital of the Canadian Northern Company;

8. Each shareholder in the Rainy River Company shall be entitled to receive and there shall be issued to him by the amalgamated company, one share in the capital stock of the amalgamated company issued as fully paid up and free from calls and other liability for every hundred dollars paid up upon the shares held by him or to which by any contract with the Rainy River Company he may be or become entitled in the capital of the Rainy River Company.

8. The amalgamated company shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated, belonging to, possessed by, or vested in, each of the said companies, or to which each may be or become entitled;

10. The amalgamated company becomes liable for and shall assume, carry out, pay and discharge all the contracts, obligations, debts and liabilities of each of the said companies; all the settlements and compromises with the debenture holders, creditors and others having claims against the Winnipeg Great Northern Railway Company (one of the predecessors of the Canadian Northern Company) party hereto, authorized by clause 10 of the amalgamation agreement between the Winnipeg Great Northern Railway Company and the Lake Manitoba Railway and Canal Company, confirmed by chapter 57 of the statues of Canada for the year 1899, may be made by the directors of the amalgamated company; and as the consideration, or part thereof of such settlements and compro-

mises, such directors may agree to issue and may issue stock in the capital of the amalgamated company as fully paid up and free from calls or other liability;

11. Nothing in this agreement contained or done in pursuance thereof shall take away or prejudice any claim, demand, security, cause of action or complaint which any person, corporation or government has against either of the companies parties hereto, nor shall it relieve either of said companies from the payment or performance of any debt, liability, obligation, contract or duty; and no claim, action or proceeding by or against either of the said companies shall abate or be affected by this amalgamation, but for all the purposes of such claim, action, or proceeding, the amalgamated company may be substituted therein for the company against which the same may exist;

12. The by-laws, rules and regulations of the Canadian Northern Company shall, so far as applicable, be the by-laws, rules, or regulations of the amalgamated company until repealed, amended, altered or added to by by-laws, rules or regulations of the amalgamated company;

13. An application shall be made to the Governor General in Council for an order sanctioning this agreement.

In witness whereof this indenture has been duly executed by the parties.

In the presence of:
MILLER LASH,
as to execution by both parties.

FREDERIC NICHOLLS,
President.
J. M. SMITH,
Secretary,
JAMES GUNN,
Vice-President,
J. M. SMITH,
Secretary.

SCHEDULE C.

THIS INDENTURE, made the eleventh day of February, A.D. 1901, between His Majesty the King, represented herein by the Executive Government of the province of Manitoba, acting by the Honourable the Railway Commissioner, and hereinafter called "the Government," of the first part, and the Canadian Northern Railway Company, hereinafter called "the Company," of the second part.

WHEREAS by indenture dated the 15th day of January, 1901, made between the Northern Pacific and Manitoba Railway Company, the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company, and the Waskada and North-Eastern Railway Company, together therein called the lessors, of the first part, the Government, of the second part, and the Northern Pacific Railway Company, of the third part, the lessors demised and leased to the Government and its assigns the lessors' system of railways in Manitoba, together with the rolling stock, equipment, appurtenances and real and personal property, therein called the "demised premises" for the term of 999 years, and the lessors and the Northern Pacific Railway Company consented

to the passing of such legislation as might be required in order to enable the Government and its assigns at their option to acquire absolutely the demised premises and all the franchises, rights and powers of the lessors, free from encumbrances, for the sum of $7,000,000, at any time during the term thereby demised, the said indenture being hereinafter referred to as the "said lease and option."

NOW THIS INDENTURE WITNESSETH that for the respective considerations herein mentioned, the parties covenant and agree together as follows :

1. Wherever in this indenture the Government or the Company is mentioned or referred to, such mention or reference shall extend to, include and be binding upon the successors and assigns of the Government or the Company as the case may be.

2. The Government does hereby assign, transfer and set over unto the Company the said lease and option and the term thereby created and the premises thereby demised, and the rights and powers thereby conferred, and all benefits and advantages of said lease and option and the covenants and agreements therein contained.

3. The Company covenants with the Government to pay the rentals under said lease and option as and when the same become due, and to make all other payments which the Government therein covenants shall be paid, and to abide by, carry out and perform all the covenants and agreements, terms and conditions of the said lease and option made or agreed to therein by the Government, and to indemnify and save harmless the Government against all loss, costs and expenses in connection therewith.

4. The Government and the Company shall at the next session of the Legislature of Manitoba and of the Parliament of Canada use their best endeavors to procure the necessary legislation to enable the Company at its option to acquire absolutely the demised premises included in said lease and option, and all the franchises, rights and powers of the lessors therein named, free from encumbrances, for the sum of $7,000,000, at any time during the term thereby demised. The Government and the Company will also use their best endeavors to procure from said Legislature and Parliament such legislation as may be necessary to confirm the said lease and option and this indenture, and to enable and require the parties to carry out the same in order that their true intent and meaning may be properly and fully accomplished.

5. The Company is to prepare an issue of bonds at the rate of $20,000 per mile of its line of railway from Port Arthur to Rainy River not exceeding 290 miles ; such bonds to be payable on the 30th June, A.D. 1930, with interest half-yearly at the rate of four per cent per annum, and to be secured by mortgage to National Trust Company, Limited, as Trustees, covering the said line of railway from Port Arthur to the Rainy River, and all leases and agreements with the Minnesota and Manitoba Railway Company respecting traffic or running powers or otherwise, and all leases and agreements with the Minnesota and Ontario Bridge Company with reference to the proposed bridge across the Rainy River, also the said lease

and option, subject to the right of the Company to exercise such option and create a first mortgage on the premises demised by said lease and option securing an issue of bonds for the purpose of raising $7,000,000 with which to purchase said demised premises, also covering as a second charge thereon the lines in Manitoba already covered by the mortgage securing the bonds heretofore guaranteed by the Government after a first charge of $10,000 per mile. The said mortgage securing said issue is to be in a form satisfactory to the Lieutenant-Governor in Council and to be in similar terms so far as applicable to the mortgage set out in Schedule B to chapter 57 of the Statutes of Canada for the year 1899, together with such changes and additional clauses as may be necessitated by the terms of this agreement.

6. The said bonds are to be made ready for issue and delivery and the Government is to guarantee payment thereof. The said bonds with the said guarantee thereon duly signed on behalf of the Government are to be deposited with the trustees of the mortgage securing the same, and when, but not before, the Company's line from Port Arthur to the Rainy River has been constructed and open for public traffic and a through train from Winnipeg has been run over the said line to Port Arthur, the said guaranteed bonds shall be certified and delivered by the trustees of the Company or its order. Any overdue coupons on the bonds so delivered shall, before delivery, be cut off and cancelled. Provided always that no bonds shall at any time be certified or delivered by the trustees as in this paragraph provided unless and until present outstanding bonds to an equal amount are from time to time delivered to the trustees in exchange therefor, so that there shall never be outstanding at one time a greater amount of bonds covering said line than at the rate of $20,000 per mile of said line between Port Arthur and Rainy River not exceeding 290 miles. Provided also that until the whole of the present outstanding bonds have been so received in exchange by the trustees, the rights and priorities of the present outstanding bonds actually received in exchange shall for the protection of the Government be maintained and preserved and said bonds shall in the hands of the trustees inure to the benefit of the Government in case the bonds given in exchange therefor are retired by the Government under said guarantee. Provided further that when all the said present outstanding bonds have been so received in exchange by the trustees the same shall be cancelled.

7. The Company covenants that its line from Port Arthur to the Rainy River will be constructed and opened for public traffic and that a through train from Winnipeg will be run over said line to Port Arthur on or before the first day of October, 1901. Provided that if by reason of the weather, strikes, difficulties in procuring men or materials, or for other reasons beyond the Company's control, the construction of the said line is delayed, the Railway Commissioner of the Province of Manitoba may extend the time for said construction and running of said train.

8. In consideration of the guarantee of the said bonds and the assignment of said lease and option, the Company hereby agrees that up to the 30th day of June, A.D. 1930, the Lieut-

enant Governor in Council shall from time to time fix the rates to be charged or demanded by the Company for the carriage of all freight from all points on the Company's lines in Manitoba to Port Arthur, and from Port Arthur to all points on the Company's lines in Manitoba, and from all points on the Company's lines in Manitoba to all other points on said lines in Manitoba. Provided always that before any rates are so fixed, the Company shall be heard and their interests taken into consideration. The Company agrees that it will not at any time after the said rates have been so fixed charge or demand for the carriage of freight between the points aforesaid greater rates than those so fixed by the Lieutenant Governor in Council.

9. The Company hereby consents to the passing of such legislation by the Legislature of Manitoba as may be necessary to confer upon the Court of King's Bench for Manitoba full jurisdiction at the instance of the Attorney General of the province on behalf of the Government, to decree specific performance and observance by the Company of each and every of the terms of this agreement and of the said lease and option, and the Company hereby consents to and submits to the jurisdiction of the said Court in that behalf.

10. Commencing when this agreement takes effect, the Company shall reduce its passenger rates in Manitoba to not exceeding three cents per passenger per mile.

11. The receipts and income of the Company from operating the lines of railway included in the mortgage securing said guaranteed bonds, and from all its lines in Manitoba, including the lines demised by said lease and option, shall be applied in the first place in payment of the working expenditure of said lines of railway, and in the second place in payment of the rentals under said lease and option and interest on bonds on said lines heretofore or hereafter guaranteed by the Government or issued with the consent of the Government. And in consideration of the said power given to the Lieutenant Governor in Council respecting the fixing of rates, the Government agrees that if the said receipts and income after payment of said working expenditure are not sufficient to pay said rentals and interest, the deficiency (if any) shall be borne by the Government and the Company shall be relieved therefrom. Provided always that the said deficiency, if any, shall be ascertained at the end of each period of two years, commencing from the 1st day of October, 1901, and any surplus in either year of any such period shall as far as necessary be applied in reduction of any deficiency in the other year of such period; but each period of two years shall for the purpose of this clause be treated apart from each other period. For the purposes of this clause the term "working expenditure" shall not include the salary or remuneration of any officer, employee, or other person whose time is not wholly employed *bona fide* in connection with the said lines of railway in this clause mentioned; but as to officers and employees and other persons whose services are necessary or desirable in connection with the said lines and whose whole time is not taken up in connection therewith there shall be included reasonable remuneration for the time actually expended and services actually rendered by them in connection with said lines; and the said term shall not include any

expenses, payments or outgoings not reasonably necessary for the efficient management, maintenance, operation and repair of the said lines, nor shall the said term include the cost of double tracking the said lines, but siding reasonably required for the traffic and operation of the lines shall not be deemed double tracking. Should any dispute arise between the Government and the Company as to working expenditure under this clause, the same shall be referred to the Chief Justice of the Court of King's Bench for Manitoba for the time being, who shall have full power to decide the same, and in so deciding he may take evidence or consult with experts, and use his own judgment in coming to a decision, and his decision shall be final and binding and without appeal. For the purposes of this clause the Minnesota and Manitoba Railway shall be deemed to be a line of railway included in the said mortgage securing said guaranteed bonds.

12. The provisions contained in existing legislation and agreements relating to the Northern Pacific and Manitoba Railway Company relating to running powers by other companies over the lines included in said lease and option are not to be abrogated by anything herein contained or by the terms or effect of the said lease and option, but all such powers are to be preserved and may be exercised to the same extent with respecting the lines demised by said lease and option as if the said lease and option and this agreement had not been made, and as to the said lines were continued to be operated by the Northern Pacific and Manitoba Railway Company. The Company may allow any other company except the Canadian Pacific Railway Company, and any other company or companies running in the interests of the Canadian Pacific Railway Company, running powers over any of the said lines at reasonable rates and tolls and upon such conditions as may be agreed upon.

13. The Company shall provide and maintain such equipment for its lines of railway as will reasonably provide for the requirements of the freight and passenger traffic of said lines, and should any dispute arise under this clause the same shall be decided by the Railway Committee of the Privy Council of Canada.

14. The Company covenants with the Government that its accounts shall be audited from time to time, and not less than once in each year, by an auditor appointed by the Company with the approval of the Government.

15. The Company will arrange for connection between its railway system from a point east of Sprague Station and some line of railway now or hereafter connecting with Duluth on Lake Superior.

16. Notwithstanding its present exemption from taxation the Company covenants to pay to the Government in each year after the year 1905, and up to the maturity of the bonds hereby agreed to be guaranteed, a sum to be fixed from time to time by the Lieutenant Governor in Council not exceeding two per cent. of the gross earnings of the Company from its lines in Manitoba covered by the mortgages securing bonds heretofore or hereafter guaranteed by the Government, and from the lines included in said lease and option, and in consideration of the said payments the Company and the lessors

in said lease and option, their properties, incomes and franchises shall be exempt from such taxation as is provided for by section 18 of chapter 57 of the statutes of Manitoba of 1900, during the currency of the said bonds hereby agreed to be guaranteed. Provided, however, that any lands now exempt shall continue to be exempt from such taxation during the currency of the said bonds.

17. The Company shall continue and maintain as its workshops at Winnipeg the workshops of the Northern Pacific and Manitoba Railway Company forming part of the premises demised by said lease and option; and the general offices of the said Company with respect to the operation of the lines covered by said mortgage securing said guaranteed bonds shall be at the City of Winnipeg.

18. The Company covenants that all controllable freight originating on or delivered to the lines covered by said mortgage securing said guaranteed bonds shall be carried over said lines as great a distance as possible on its way to its destination Provided always that the Railway Commissioner of the Province of Manitoba may from time to time consent to freight being diverted.

19. The Company shall not nor shall any of the branch lines thereof (including the lines demised by the said lease and option), or any lines of railway leased by the Company or under its control, be at any time amalgamated with the Canadian Pacific Railway Company or any of its branch lines, or with any branch lines leased by the Canadian Pacific Company or under its control. Any such attempted amalgamation, with any arrangement for making a common fund or pooling the earnings or receipts of the said two companies' railways, or any of their branch lines, or any railway lines or parts thereof leased by the said companies or either of them, shall be absolutely void. This provision, however, shall not extend to traffic or running arrangements made with the assent of the Governor in Council.

20. The Company hereby grants to the Government the option to be exercised during the year A.D. 1929 of purchasing the then entire undertaking of the Company, including all rights, franchises, powers, real and personal property connected therewith or appurtenant thereto, for the then fair value thereof as a going concern This option is not assignable by the Government.

In witness whereof the parties hereto have duly executed these presents this eleventh day of February, 1901.

[SEAL] R. P. ROBLIN,
Railway Commissioner for Government.

[SEAL C.N.R.Co.] FREDERIC NICHOLLS,
President.

J. M SMITH,
Secretary.

Signed, sealed and delivered in the presence of
Z. A. LASH.

No. 75.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Canadian Northern Railway Company.

(*Reprinted as proposed to be amended in the Railway Committee.*)

(PRIVATE BILL)

MR. MCCREARY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 76] **BILL.** [1901.

An Act to amend the Criminal Code, 1892.

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

1892, c. 29, s. 801 amended.

1. Subsection 2 of the section substituted for section 801 of *The Criminal Code*, 1892, by section 3 of chapter 46 of the statutes of 1900, is repealed.

Commencement of Act.

2. This Act shall be deemed to have come into force on the first day of January, one thousand nine hundred and one.

No. 76.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Criminal Code, 1892.

First reading, March 18, 1901.

Mr. German.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 77.] **BILL.** [1901.

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. *The Railway Act* is amended by inserting the following section immediately after section 198 :— 1888, c. 29, sections added.

"**198A.** All such gates on farm crossings shall be swing-gates, with proper and convenient fastenings, and so hung and adjusted as to be safe, convenient and easy of operation; and in case any animal rightfully being on any inclosed lands protected by any such gate, makes its escape from such inclosed lands to the railway track through such gate either left open by the wrongful act or neglect of any person not responsible to the railway company or to the owner or the person responsible for the keeping of such animals, or opened by means that cannot be discovered, without wrong or neglect proved on the part of either the railway company or such owner or person, then all loss caused to the owner of such animal by the injury thereof caused by any passing locomotive or train of cars controlled by such railway company, shall be borne equally by such owner and the said company. Gates at farm crossings. Liability for injury to cattle.

"2. When extra crossings are required, the Company shall construct such crossings at a reasonable cost and at the expense of the persons interested." Extra crossings.

2. In case a locomotive is found to have emitted fire or sparks at any point in its progress during any single passage along the rails of any railway which either did ignite or were capable of igniting inflammable materials on or near the right of way of such railway company and during the same passage of such locomotive, and a fire doing damage to property on or adjoining the railway is discovered within twenty minutes after the passage of such locomotive, and as a result of fire or sparks so emitted by the locomotive and of no other known or probable cause, then the said fire and the resultant damage shall be deemed to have arisen from the emission of such fire or sparks through the defective construction or careless and negligent operation of such locomotive. Damage due to fire from locomotive.

3. No railway company shall be allowed to obstruct by its embankments or other artificial structures any drainage work, either public or private; but in all cases where drainage works are brought to the right of way of any railway company and are to cross it, the railway company shall, at its own expense, give sufficient passage to the waters of such drainage works Drainage across railway lands.

across or along its right of way, subject only to payment by the person requiring such drainage of such part only of such costs as would have been necessary if the railway had not existed; and all disputes with respect to drainage on or across railway lands shall be determined finally, subject to the above provisions, on appeal by either party to the county judge of the county in which the lands are situate.

No. 77.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Railway Act.

First reading, March 18, 1901.

MR. STEPHENS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No 78.] **BILL.** [1901.

An Act to incorporate the Union Railway Company.

WHEREAS the franchise, railway and property of the United Counties Railway Company, a corporation existing under the jurisdiction of the Parliament of Canada, have been sold by the sheriff of the district of St. Hyacinthe, under an execution issued at the instance of Arthur Ledoux, the judgment creditor, the said sale having been duly made upon the twenty-fifth day of January, nineteen hundred; and whereas George Casimir Dessaulles, of the city of St. Hyacinthe, became the purchaser and *adjudicataire* thereof at the said sale; and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:— Preamble. 1888, c. 29, s. 306; 1900, c. 76.

1. George Casimir Dessaulles and L. Paul Morin, of the city of St. Hyacinthe, and Charles D. Gaudet, of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The Union Railway Company," hereinafter called "the Company." Incorporation.

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

5. The head office of the Company shall be in the city of St. Hyacinthe, but may be changed to any other place in Canada, as the directors, from time to time, determine by law. Head office.

6. The annual meeting of the shareholders shall be held on the second Tuesday in August in each year. Annual meeting.

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

Power to acquire United Counties Railway.

8. The Company may acquire the railway of the United Counties Railway Company, and the rights, privileges and property thereof, and may operate the said railway from the town of Sorel, in the county of Richelieu, in the province of Quebec, thence passing through the parishes of Sorel, St. Robert, St. Aimé and St. Louis, in the county of Richelieu; thence by St. Jude, St. Barnabé, St. Hyacinthe the Confessor, the city of St. Hyacinthe, and the parishes of St Hyacinthe and St. Damase, in the county of St. Hyacinthe; thence by Rougemont and Ste. Angèle in the county of Rouville; thence by St. Grégoire to the town of Iberville, in the county of Iberville; and the said Dessaulles is hereby authorized to transfer the said railway, together with the rights, privileges and property thereof, to the Company incorporated by this Act.

Power to acquire franchies of East Richelieu Valley Ry.

9. The Company may acquire the charter, privileges and franchises of the East Richelieu Valley Railway Company, or the whole of its road, or the whole of its interest in such road as far as the international boundary line; but nothing in this section contained, or done in pursuance thereof, shall take away or prejudice any claim, demand, right, security, cause of action, or complaint which any person has against the East Richelieu Valley Railway Company, nor shall such company by reason of this section be relieved from the payment of any debt or the performance of any obligation, contract or duty.

Bond issue.

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

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the

manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

Land for warehouses, etc.

12. The Company, for the purposes of its undertaking, may acquire land for warehouses and elevators and erect buildings thereon, and may acquire and control such steam and other vessels as the directors deem requisite for ferrying across the rivers St. Lawrence and Richelieu.

Vessels.

Companies acquired not relieved from railway laws.

13. Nothing in this Act, or in the agreement under which the Company acquires the charter, privileges and franchises, as far as the international boundary line, of the East Richelieu Valley Railway Company, shall be held to relieve either of the said companies from any of its duties or liabilities under the railway laws of Canada or under the laws of the province of Quebec.

No. 78.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Union Railway Company.

First reading, March 19, 1901.

(PRIVATE BILL.)

MR. DEMERS,
(St. John and Iberville.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 79.] **BILL.** [1901.

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

Preamble.

WHEREAS the Lindsay, Bobcaygeon and Pontypool 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 :—

1890, c. 55 amended.

1. The Act incorporating the Lindsay, Bobcaygeon and Pontypool Railway Company, hereinafter called "the Company," is amended by adding thereto the following section :—

Additional line of railway.

3. A. The Company may also lay out, construct and operate a railway of the gauge of four feer eight and one-half inches, from a point within the limits of the corporation of the village of Bobcaygeon, in the county of Victoria, thence through the said village of Bobcaygeon and the townships of Verulam, Harvey, Galway and Snowden to a point on the Irondale, Bancroft and Ottawa Railway within ten miles of Furnace Falls.

Agreement with another company.

2. The Company may enter into an agreement with the Irondale, Bancroft and Ottawa Railway Company, the Toronto, Lindsay and Pembroke Railway Company or the Pembroke Southern Railway Company, for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit ; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in sub-section 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and

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

Time for expenditure of moneys extended.

3. Notwithstanding anything contained in section 4 of chapter 73 of the statutes of 1899, the time limited for the expenditure of fifteen per cent of the amount of the capital stock of the Company is extended for a period of two years from the first day of August, nineteen hundred and one, and if such expenditure is not so made, and if the railway is not finished and put in operation within three years from the said date, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

No. 79.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

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

First reading, March 19, 1901.

(PRIVATE BILL.)

MR. VROOMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 80] **BILL.** [1901.

An Act to incorporate the St. Mary River Bridge 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. Hugh Blain, William George Francis, Newton W. Rowell, William Morris, George Henry Parkes and Joseph Parkins Thompson, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The St. Mary River Bridge Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The said Hugh Blain, William George Francis, Newton W. Rowell, William Morris and George Henry Parkes are constituted the provisional directors of the Company. Provisional directors.

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

4. The head office of the Company shall be at the city of Toronto, or at such other place in Canada as the directors may, by by-law, determine. Head office.

5. The annual meeting of the shareholders shall be held on the third Tuesday in September in each year. Annual meeting.

6. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall choose five persons to be directors of the Company. Election of directors.

7. The Company may construct, maintain and use a bridge across the St. Mary River for the passage of pedestrians, vehicles, carriages, electric cars or street cars and for any other purpose, with all necessary approaches, from some convenient point in Canada in or near the town of Sault Ste. Marie in the district of Algoma to a point in or near the city of Sault Ste. Marie in the state of Michigan, one of the United States, so as not to interfere with navigation, and may purchase, acquire and hold such real estate, including lands for sidings and other equipment required for the convenient working of Bridge.

traffic to, from and over the said bridge as the Company thinks necessary for any of the said purposes; but the Company shall not commence the actual construction of the said bridge nor exercise any of the powers hereunder (save as hereinafter set forth) until an Act of the Congress of the United States or an Act of the legislature of the state of Michigan has been passed authorizing or approving the bridging of the said river, but the Company may, in the meantime, acquire the lands, submit their plans to the Governor in Council and do all other things authorized by this Act.

When work may be commenced.

8. The Company may, with the approval of two-thirds of the votes of the shareholders present at a special general meeting duly called for the purpose of considering the matters in this section referred to, at which meeting shareholders representing at least two-thirds in value of the capital stock are present or represented by proxy, and after obtaining the sanction of the Governor in Council in the manner provided by section 239 of *The Railway Act*, and subject to the provisions contained in this Act;—

Union with another company.

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

With a United States company.

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

With a Canadian company.

9. The Company may construct and maintain spans (which may, as herein provided, be continued to make a bridge over the said river) to the international boundary line in the said river at a point at or near the town of Sault Ste. Marie in the district of Algoma, in such a manner as not to interfere with navigation, and may lay and maintain along, upon or under the said bridge and spans, such wires, cables and other machinery and appliances as are necessary for the generation and transmission of electricity and otner motive power, and may enter into contracts for the use thereof.

Spans to international boundary line.

Electric cables, etc.

10. The Company may issue bonds, debentures or other securities in aid of the constructions herein mentioned to an amount not exceeding one million dollars.

Bond issue.

11. The works hereby authorized shall be commenced within two years after the Executive of the state of Michigan or of the United States has consented to and approved such bridging, and shall be completed within five years thereafter, otherwise the powers granted by this Act shall cease and shall be null and void as respects so much of the undertaking as then remains uncompleted; provided, however, that if such consent is not obtained within five years after the passing of this Act

Time for construction limited.

the powers granted for the construction of the said works shall cease and be null and void.

Joint commission with United States.

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

1888, c. 29.

13. *The Railway Act*, so far as applicable, shall apply to the Company and its undertaking in the same manner as if in the said Act the word "bridge" was substituted for the word "railway," but nothing contained in this Act, or in section 192A of *The Railway Act*, shall be held to confer on any railway or railway company the right and privilege to use either the bridge or the approaches thereto hereby authorized to be constructed.

No right to railways to use bridge.

No. 80.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the St. Mary River Bridge Company.

First reading, March 19, 1901.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 81.] **BILL.** [1901.

An Act respecting the Algoma Central Railway Company, and to change its name to "The Algoma Central and Hudson's 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, declares and enacts as follows:— Preamble.

1. The name of the Algoma Central Railway Company, hereinafter called "the Company," is changed to "The Algoma Central and Hudson's Bay 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. Existing rights saved.

2. The Company may enter into agreements with the Lake Superior and Hudson's Bay Railway Company, the Ontario, Hudson's Bay and Western Railways Company and the Manitoulin and North Shore Railway Company, or any of them, (and the said companies are respectively authorized to enter into such agreements with the Company), for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for acquiring by conveyance or for leasing by the Company the railway or any rights or powers acquired by statute, as also the franchises, surveys, plans, works, plant, material, machinery or other property of any such other railway company, or for an amalgamation of the Company with the Lake Superior and Hudson's Bay Railway Company, the Ontario, Hudson's Bay and Western Railways Company, and the Manitoulin and North Shore Railway Company, or any of them, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders of each of the companies parties thereto, duly called for the purpose of considering it, at which meeting shareholders representing at least two thirds in value Agreements with other companies. Approval of shareholders and Governor in Council.

of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

Commencement of railway of amalgamated company.

3. In the event of the amalgamation of the Company with any of the companies named in section 2 of this Act, the construction of the line of railway of either, or any, of the companies so amalgamating shall be deemed a sufficient compliance with the terms of the Act of incorporation, or other Act so far as it relates to the time for the commencement or completion of the line of either, or any, of the said companies so amalgamating.

Line of railway described.

4. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on the main line of the Canadian Pacific Railway, thence in a general direction northerly to some point on James Bay, in the province of Ontario; the said line to be an extension of the line of railway which the Company is authorized to build by the Acts relating to the Company.

Branch lines.

2. The Company may construct branch lines not exceeding one hundred miles in length.

Power to deposit plans.

1888, c. 29.

5. It is declared that the Company has, and always has had, power to deposit a map, or plan and book of reference and profile as required by *The Railway Act*, in sections of any length, as provided by section 124 of the said Act, and that it may deposit such plan or profile and book of reference in sections of any length.

Confirmation of plans already deposited.

6. All maps, plans, profiles and books of reference which have been deposited by the Company with the Department of Railways and Canals, or with any official thereof, are confirmed.

Issue of notes, bonds, etc.

7. It is declared that the Company has, and always has had, power to issue its promissory notes, bonds, debentures or other securities for the purchase of vessels and water-craft, in addition to the securities it has been authorized to issue for the construction of its lines of railway; and the Company may issue promissory notes, bonds, debentures or other securities for the purchase of vessels and water-craft in addition to the amount it is authorized to issue for the construction of its railway.

8. The Company may guarantee the promissory notes, bonds, debentures or other securities issued by any of the companies named in section 2 of this Act, or by any steamboat or steamship company operating in connection with the railway of the Company. Power to guarantee notes, bonds, etc.

No. 81.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the Algoma Central Railway Company, and to change its name to "The Algoma Central and Hudson's Bay Railway Company."

First reading, March 19, 1901.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No 82.] **BILL.** [1901.

An Act respecting the Rathbun Company.

Preamble.

WHEREAS the Rathbun 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:—

1883, c. 89, s. 4, amended.

Directors.

1. Section 4 of chapter 89 of the statutes of 1883 is amended by striking out the word "five" in the second line of the said section and substituting therefor the word "seven."

Number may be fixed by by-law.

2. Notwithstanding anything in the said Act, or in this Act, the number of directors of the said company may from time to time be fixed by by-law passed by the shareholders at a meeting duly called for that purpose, but the number of directors shall not at any time be less than three.

No. 82.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Rathbun Company.

First reading, March 20, 1901.

(PRIVATE BILL.)

Mr. Britton.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 83.] **BILL.** [1901.

An Act to incorporate 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.

1. Robert L T. Galbraith, James Albert Harvey, Hugh Watt, Judson B. Langley and William Roderick Ross, all of Fort Steele, and James H. King, of Cranbrook, together with such persons as become shareholders in the company, are incorporated under the name of "The Kootenay Central 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 one million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be in the town of Fort Steele, in the province of British Columbia. Head office.

5. The annual meeting of the shareholders shall be held on the first Monday in June in each year. Annual meeting.

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

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

(*a.*) From Fort Steele to Elko or some other convenient point on the Crow's Nest Railway between Elko and Wardner; thence on either the east or west side of Wigwam River, or by the most convenient route to the international boundary line.

(*b.*) From Fort Steele, to Windermere, by either the east or west side of the Kootenay River, thence to the town of Golden on the main line of the Canadian Pacific Railway, and may build and operate tramways in connection therewith.

Powers of Company.

8. The Company may, in connection with its railway or tramway, and for the purposes of its business ;—

Branch lines.

(*a.*) construct, operate and maintain branch lines and all necessary bridges, roads, ways, ferries, and other works, and

Vessels.

build, own and maintain steam and other vessels and boats, and operate the same on the Kootenay River from the international boundary line as far north as the said river is, or may be made, navigable ;

Telegraph and telephone lines.

(*b.*) construct, operate and maintain telegraph and telephone lines in connection with the said railway and branches, and generate electricity for the supply of heat, light and power, and for all and every other purpose mentioned in sections 80, 81, 82 and 83 of the Water Clauses Consolidation Act, 1897, of British Columbia ;

B.C., 1897, c. 45.

Lands, bonuses, etc.

(*c.*) expropriate lands for the purposes of the Company, and acquire lands, bonuses, privileges or other aids from any government or person ;

Tolls.

(*d.*) levy and collect tolls from all persons using, and on all freight passing over, any of such roads, railways, tramways, ferries, wharfs and vessels owned or operated by the Company, and make traffic or other arrangements with railway, steamboat or other companies ;

Traffic arrangements.

Smelters.

(*e.*) acquire and operate mine concentrators, smelters or refineries in the neighbourhood of, or in any part of the territory naturally tributary to, its railways.

Bond issue.

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

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the electoral districts through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be

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

Time for construction limited.

11. If the construction of the railway is not commenced, and fifteen per cent of the amount of the capital stock is not expended thereon, within two years from the passing of this Act, or if the railway is not finished and put in operation within five years from the passing of this Act, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

No. 83.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Kootenay Central Railway Company.

First reading, March 20, 1901.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 84.] **BILL.** [1901.

An Act respecting the Alberta Railway and Coal Company.

Preamble.

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

Agreement with another company.

1. The Alberta Railway and Coal Company, hereinafter called "the Company," may enter into an agreement with the Canadian Pacific Railway Company or the Calgary and Edmonton Railway Company, or with any other company authorized to make such agreement, for conveying or leasing to any of such companies the railway of the Company, in whole or in part, or any rights or powers it has acquired, as also the franchises, surveys, plans, works, plant, material, machinery, and other property to it belonging, or for an amalgamation with any of such companies upon such terms and conditions as are agreed upon; and any one of such other companies is hereby authorized to enter into such agreement; provided that any such agreement has been first approved at an annual general meeting, or a special general meeting duly called for the purpose, by a resolution of two-thirds of the votes of the shareholders of the respective companies entering into the agreement, at which meeting shareholders representing at least two-thirds in value of the stock of the respective companies are present or represented by proxy, and that such an agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*.

Agreement to be filed with Secretary of State.

3. A duplicate of any agreement referred to in sub-section 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 84.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Alberta Railway and Coal Company.

First reading, March 20, 1901.

(PRIVATE BILL.)

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 85.] **BILL.** [1901.

An Act to incorporate the Alberta Central Railway Company.

Preamble.

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

Incorporation.

Corporate name.

1. George W. Smith, D. J. Munn, John T. Moore, John Flett, Roger C. Clute, William A. Moore and George W. Greene, together with such persons as become shareholders in the company, are incorporated under the name of "The Alberta Central Railway Company," hereinafter called "the Company."

Declaratory.

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

Provisional directors.

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

Capital stock.

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

Head office.

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

Annual meeting.

6. The annual meeting of the shareholders shall be held on the first Tuesday in October in each year.

Election of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one half inches from a point in township thirty-eight, range twenty-three west of the fourth meridian in the district of Alberta, in the North-West Territories, westerly to a point in or near the village of Red Deer; thence westerly to a point in township thirty-nine, range seven, west of the fifth meridian in the said district.

Bond issue.

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

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 85.

1st Session, 9th Parliament, 1 Edward VII

BILL.

An Act to incorporate the A Central Railway Company.

First reading, March 20, 1901

(PRIVATE BILL.)

Mr. Oliv

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 86.] **BILL.** [1901.

An Act respecting the Trans-Canada Railway Company.

Preamble.

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

1895, c. 8, new section 2.

1. Section 2 of chapter 68 of the statutes of 1895 is repealed, and the following is substituted therefor:—

Head office.

"**2.** The head office of the Company shall be in the city of Quebec, or in such other place in Canada as the directors from time to time determine by by-law."

New section 6.

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

Provisional directors.

"**6.** George Earl Church, Richard Biddulph Martin and Frank Crisp, all of London, England; the Honourable Francis Clemow and J. A. Gemmill, of the city of Ottawa; George Tanguay, John T. Ross, Gaspard Le Moine, Victor Chateauvert, J. G. Scott, William Price, W. A. Marsh, Honourable J. Arthur Paquet, T. A. Piddington, Honourable P. Garneau, Vesey Boswell, Honourable R. R. Dobell, William Shaw, N. Garneau, L. A. Robitaille, N. Rioux, E. Beaudet and E. E. Ling, all of the city of Quebec; B. A. Scott, of Roberval; George T. Davie, of Levis; J. E. A. Dubuc, of Chicoutimi; Joseph Girard, of St. Gedeon; William Hanson, of Montreal; Jas. McNaught, of New York; and H. H. Melville, of Boston, Massachusetts, shall be the provisional directors of the Company."

New section 7.

3. Section 7 of the said Act is repealed, and the following is substituted therefor:—

Capital stock.

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

1897, c. 65, section 3 repealed.

4. Section 3 of chapter 65 of the statutes of 1897 is repealed, and in lieu thereof it is enacted that the railway of the Trans-Canada Railway Company, hereinafter called "the Company," may be commenced within three years and completed within ten years from the passing of this Act, otherwise the powers 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 extended.

Route of line.

5. The Company may commence the construction of its main line from a point on the Quebec and Lake St. John Railway or on the Great Northern Railway, may deflect its main line toward the south end of James Bay, and may build branches from points on its main line to Toronto and Winnipeg and to deep water near the mouth of the Nottoway River.

Branch lines.

1897, c. 65, s. 2.

2. The branch from the main line to Montreal authorized by section 2 of chapter 65 of the statutes of 1897, may be commenced from any point on the main line between Quebec and a point south of James Bay.

Agreements with another company.

6. The Company may enter into agreements with the Great Northern Railway Company or the Quebec and Lake St. John Railway Company for conveying or leasing to such company the railway of the Company, in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for any amalgamation with either of the said companies, or may purchase or lease the railway of either of the said companies, on such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit; provided that each such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that each such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties or electoral districts through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 86.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Trans-Cana Railway Company.

First reading March 20, 1901.

(PRIVATE BILL.)

MR. MALOUI

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 87.] **BILL.** [1901.

An Act to amalgamate the Northern Pacific and Manitoba Railway Company, the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company and the Waskada and North Eastern Railway Company under the name of the Northern Pacific and Manitoba Railway Company.

Preamble.

WHEREAS the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company and the Waskada and North Eastern Railway Company, severally incorporated by Acts of the legislature of the province of Manitoba, and hereinafter referred to as "the Manitoba companies," and the Northern Pacific and Manitoba Railway Company have, by their petitions, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petitions: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Man. 1890, c. 65.
Man. 1899, c. 51.
Man. 1899, c. 55.

Declaratory.

1. All the lines of railway and other works constructed by the Manitoba companies under and by virtue of the several Acts of the legislature of the province of Manitoba respecting the said companies are declared to be works for the general advantage of Canada.

Agreement for amalgamation.

2. The Manitoba Companies and the Northern Pacific and Manitoba Railway Company may enter into a mutual agreement for amalgamation and union as one company under the name of the Northern Pacific and Manitoba Railway Company.

Terms of agreement.

3. Such agreement may prescribe the terms and conditions of the amalgamation and may provide for the mode of carrying it into effect, the amount of capital stock, which shall not exceed the total of the capital stock of the said companies, the number of shares and the amount of each share, the place of the head office, the number of the board of directors, the names of the first directors and their term of office, the mode of converting the capital stock of each company into that of the amalgamated company and such other and additional conditions as may be necessary or convenient for perfecting the new organization and the management and working thereof.

Approval of shareholders and Governor in Council.

4. The said agreement shall be submitted to the shareholders of each of the several companies party thereto at an annual general meeting or at a special general meeting of each company respectively called for the purpose of considering such agreement, at which meetings the shareholders of each

company representing at least two thirds in value of its stock are present or represented by proxy ; and such agreement, if accepted and approved by resolution passed by two thirds of the votes of the shareholders present or represented by proxy at such meetings, may be executed under the corporate seals of each of the said companies respectively and an application may be made to the Governor in Council for an order approving of the same.

Powers of amalgamated company.

5. Upon such agreement receiving the sanction of the Governor in Council the companies parties thereto shall thereupon be amalgamated and form one company under the name of "The Northern Pacific and Manitoba Railway Company" upon the terms and conditions in the said agreement provided ; and the amalgamated company shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated, belonging to, possessed by or vested in each of the said companies parties to such agreement, or to which each of them may be or may become entitled.

Existing rights under provincial Acts not affected.

6. Nothing in the said agreement of amalgamation or in this Act contained, or done in pursuance thereof, shall take away or prejudice any claim, demand, right, security, cause of action or complaint, lease or contract which any person has against or with any of the companies so amalgamated, nor shall it relieve such company from any lease or from the payment or performance of any existing debt, liability, obligation, contract or duty.

Proceedings pending not affected.

7. No pending or future claim, action or proceeding by or against any of the said companies so amalgamated shall abate or be affected by such amalgamation, but for all the purposes of such claim, action or proceeding the amalgamated company may be substituted in such claim, action or proceeding.

Powers of amalgamated company.

8. Upon such amalgamation the amalgamated company may also exercise the following powers, that is to say :—

Bonding.

(*a.*) The powers of the amalgamated company respecting the issue of and the sale, pledge or other disposition of bonds and the making of mortgages securing the same shall, with respect to the railways, rights, powers, franchises and otherwise of the amalgamated company be equal to but no greater than those now possessed by the Northern Pacific and Manitoba Railway Company, and, in so far as this applies to the railways, rights, properties and franchises of the Manitoba companies, or any of them, the provisions with respect to such bonding powers contained in their respective Acts of incorporation are varied to the extent herein provided.

Vessels.

(*b.*) The amalgamated company may, from time to time, purchase, build, fit out, charter, dispose of, work, control and keep in repair steam and other vessels to ply on the lakes, rivers and canals in the province of Manitoba in connection with its railway ; and may also make arrangements and agreements with steamboat and vessel proprietors, by chartering or otherwise, to ply upon the said lakes, rivers and canals, in connection with the said railway.

(*c*.) The amalgamated company, at any point where the terminus of the railway, or of any branch thereof, reaches any navigable water, or where the railway or any branch thereof crosses any navigable water, may, for the necessary purposes of the said company acquire and hold as its own property, piers, docks and water lots; and, upon the said water lots and in and over the waters adjoining thereto, may erect elevators storehouses, engine houses, sheds, docks, piers and other structures for the use of the said company and of the steam and other vessels owned, worked or controlled by it, or of any other steam or other vessels, and may collect wharfage and storage charges for the use thereof; and may erect, build and maintain all moles, piers, wharfs and docks necessary and proper for the protection of such works and for the accommodation and convenience of vessels entering, leaving, lying, loading and unloading within them, and may dredge, deepen and enlarge such works; and in its discretion may sell, lease or convey the said piers, docks, water lots, elevators, storehouses warehouses, engine houses, sheds and other erections or any of them, or any portion thereof.

Terminals, buildings, etc.

No. 87.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amalgamate the Northern Pacific and Manitoba Railway Company, the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company and the Waskada and North Eastern Railway Company under the name of the Northern Pacific and Manitoba Railway Company.

First reading, March 22, 1901.

(PRIVATE BILL.)

MR. MCCREARY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 87.] **BILL.** [1901.

An Act to amalgamate the Northern Pacific and Manitoba Railway Company, the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company and the Waskada and North Eastern Railway Company under the name of the Northern Pacific and Manitoba Railway Company.

(*Reprinted as proposed to be amended in the Railway Committee.*)

Preamble.

WHEREAS the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company and the Waskada and North Eastern Railway Company, severally incorporated by Acts of the legislature of the province of Manitoba, and hereinafter referred to as "the Manitoba companies," and the Northern Pacific and Manitoba Railway Company have, by their petitions, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petitions: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Man. 1890, c. 65.

Man. 1899, c. 51.

Man. 1899, c. 55.

Declaratory.

1. All the lines of railway and other works constructed by the Manitoba companies under and by virtue of the several Acts of the legislature of the province of Manitoba respecting the said companies are declared to be works for the general advantage of Canada.

Agreement for amalgamation.

2. The Manitoba Companies and the Northern Pacific and Manitoba Railway Company may enter into a mutual agreement for amalgamation and union as one company under the name of the Northern Pacific and Manitoba Railway Company.

Terms of agreement.

3. Such agreement may prescribe the terms and conditions of the amalgamation and may provide for the mode of carrying it into effect, the amount of capital stock, which shall not exceed the total of the capital stock of the said companies, the number of shares and the amount of each share, the place of the head office, the number of the board of directors, the names of the first directors and their term of office, the mode of converting the capital stock of each company into that of the amalgamated company and such other and additional conditions as may be necessary or convenient for perfecting the new organization and the management and working thereof.

Approval of shareholders and Governor in Council.

4. The said agreement shall be submitted to the shareholders of each of the several companies party thereto at an annual general meeting or at a special general meeting of each company respectively called for the purpose of considering such agreement, at which meetings the shareholders of each

company representing at least two thirds in value of its stock are present or represented by proxy ; and such agreement, if accepted and approved by resolution passed by two thirds of the votes of the shareholders present or represented by proxy at such meetings, may be executed under the corporate seals of each of the said companies respectively and an application may be made to the Governor in Council for an order approving of the same.

Powers of amalgamated company.

5. Upon such agreement receiving the sanction of the Governor in Council the companies parties thereto shall thereupon be amalgamated and form one company under the name of "The Northern Pacific and Manitoba Railway Company" upon the terms and conditions in the said agreement provided ; and the amalgamated company shall possess and be vested with all the powers, franchises, privileges, assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated, belonging to, possessed by or vested in each of the said companies parties to such agreement, or to which each of them may be or may become entitled.

Existing rights under provincial Acts not affected.

6. Nothing in the said agreement of amalgamation or in this Act contained, or done in pursuance thereof, shall take away or prejudice any claim, demand, right, security, cause of action or complaint, lease or contract which any person has against or with any of the companies so amalgamated, nor shall it relieve such company from any lease or from the payment or performance of any existing debt, liability, obligation, contract or duty.

Proceedings pending not affected.

7. No pending or future claim, action or proceeding by or against any of the said companies so amalgamated shall abate or be affected by such amalgamation, but for all the purposes of such claim, action or proceeding the amalgamated company may be substituted in such claim, action or proceeding.

Powers of amalgamated company.

8. Upon such amalgamation the amalgamated company may also exercise the following powers, that is to say :—

Bonding.

(*a.*) The powers of the amalgamated company respecting the issue of and the sale, pledge or other disposition of bonds and the making of mortgages securing the same shall, with respect to the railways, rights, powers, franchises and otherwise of the amalgamated company be equal to but no greater than those now possessed by the Northern Pacific and Manitoba Railway Company, and, in so far as this applies to the railways, rights, properties and franchises of the Manitoba companies, or any of them, the provisions with respect to such bonding powers contained in their respective Acts of incorporation are varied to the extent herein provided.

Vessels.

(*b.*) The amalgamated company may, from time to time, purchase, build, fit out, charter, dispose of, work, control and keep in repair steam and other vessels to ply on the lakes, rivers and canals in the province of Manitoba in connection with its railway ; and may also make arrangements and agreements with steamboat and vessel proprietors, by chartering or otherwise, to ply upon the said lakes, rivers and canals, in connection with the said railway.

(*c*.) The amalgamated company, at any point where the terminus of the railway, or of any branch thereof, reaches any navigable water, or where the railway or any branch thereof crosses any navigable water, may, for the necessary purposes of the said company acquire and hold as its own property, piers, docks and water lots; and, upon the said water lots and in and over the waters adjoining thereto, may erect elevators storehouses, engine houses, sheds, docks, piers and other structures for the use of the said company and of the steam and other vessels owned, worked or controlled by it, or of any other steam or other vessels, and may collect wharfage and storage charges for the use thereof; and may erect, build and maintain all moles, piers, wharfs and docks necessary and proper for the protection of such works and for the accommodation and convenience of vessels entering, leaving, lying, loading and unloading within them, and may dredge, deepen and enlarge such works; and in its discretion may sell, lease or convey the said piers, docks, water lots, elevators, storehouses warehouses, engine houses, sheds and other erections or any of them, or any portion thereof. Terminals, buildings, etc.

2. The indenture dated the fifteenth day of January, nineteen hundred and one, set out in the schedule to this Act, is declared to be a valid and binding contract according to the tenor thereof as to such of the parties thereto as are subject to the legislative authority of Parliament.

SCHEDULE.

This indenture made the fifteenth day of January, A.D. 1901, between the Northern Pacific and Manitoba Railway Company, the Winnipeg Transfer Railway Company (Limited), the Portage and North-Western Railway Company, and the Waskada and North Eastern Railway Company, together hereinafter called the lessors of the first part, Her Majesty the Queen, represented herein by the executive Government of the Province of Manitoba, acting by the Honourable the Minister of Public Works of the province, hereinafter called the lessee, of the second part, and Northern Pacific Railway Company, hereinafter called the Pacific Company, of the third part.

Whereas, the lessors are respectively the owners of and operate certain railways in Manitoba, hereinafter demised, and such railway connect with each other and are operated as one system, the interests of the lessors being common interests in connection with the said system;

And whereas certain mortgage bonds have been issued by the Northern Pacific and Manitoba Railway Company, one of the lessors, secured by mortgage upon its railways and undertakings, some particulars of which bonds and mortgages are as follows:

Amount of bonds.	Date.	When mature.	Rate of Int'st.
$5,260,000 00	May 1, 1889	50 years	5 per cent.
920,000 00	May 1, 1889	50 years	5 per cent.
750,000 00	Jan. 1, 1899	50 years	5 per cent.
Total...$6,930,000 00			

The trustee of the mortgages securing the same being the Farmers' Loan and Trust Company of the city of New York.

And whereas the lessors have agreed to give and the lessee has agreed to accept a lease and option to acquire the said railways upon the terms and conditions hereinafter set up;

Now therefore this indenture witnesseth :—

1. Whenever in this indenture the lessors are mentioned or referred to, such mention or reference shall extend to and include and be binding upon the successors and assigns of the lessors respectively, and such mention or reference shall be construed distributively and as binding and including each of the lessors, its successors and assigns, with respect to its part of the premises included in the demised premises hereinafter mentioned to the same extent and in the same manner as if this indenture were entered into separately with the respective lessors, except where the context necessarily otherwise requires; the intention of the parties being, for convenience and for the purposes of this indenture, to treat the railways and undertakings of the respective lessors as forming one system for which one rental is to be paid and one price paid under the option hereinafter given, but with regard to the legal positions and ownerships of the lessors respectively, and the legal positions and rights of the lessee hereunder, the terms and provisions of this indenture shall be construed distributively so that full effect may be given and the true intent and meaning of the parties carried out and accomplished.

2. Whenever in this indenture the lessee is mentioned or referred to, including among all other clauses the clause number 13 hereof, such mention or reference shall extend to and include and be binding upon the successors and assigns of the lessee and of any company to which this indenture and the term hereby created and the premises hereby demised and the rights and powers hereby conferred, may be transferred or assigned.

3. In consideration of the rentals hereby reserved and the covenants of the lessee hereinafter contained, the lessors do hereby demise and lease to the lessee the several lines of railway and branches belonging to or controlled by the lessors and situate in the Province of Manitoba, together with all rights-of-way, stations, station grounds, buildings, freight houses, warehouses, docks, wharves, ships, elevators, engine houses, water-tanks, turn-tables, shops, telegraph and telephone lines, sidings, structures, erections, improvements, engines, cars, rolling stock, equipment of all kinds, plant, machinery, tools and implements, instruments, furniture, safes, books, forms, stationery, and real and personal property of every kind now owned or controlled by the lessors, or by any company or trustee for them, and used or for use upon, or in connection with, the said railways, etc, or any of them, together with all appurtenances to the said railways, etc., or any of them belonging or appertaining, all of which are hereinafter for convenience called or referred to as the demised premises; to have and to hold the demised premises unto the lessee for and during and until the full end and term of nine hundred and ninety-nine years, computed from the day when possession is given as hereinafter provided for, the lessee yielding and paying to the lessors in the manner and at the time and place

hereinafter mentioned, the following rentals, namely, for the first ten years of the said term the rental shall be the sum of two hundred and ten thousand ($210,000) dollars per year; for the second ten years of said term the rental shall be the sum of two hundred and twenty-five thousand ($225,000) dollars per year; for the third ten years of the said term the rental shall be the sum of two hundred and seventy-five thousand ($275,000) dollars per year, and for the balance of the said tern the rental shall be the sum of three hundred thousand ($ 00,000) dollars per year.

4. The said rentals shall be paid quarterly on the first days of April, July, October and January to the Pacific Company at some chartered bank or other place in the city of Winnipeg to be designated from time to time by the Pacific Company, the Pacific Company being hereby appointed by the lessors to receive the same, and to distribute and pay over the same from time to time as the lessors may direct and appoint. But as between the lessors and the lessee payment to the Pacific Company shall be a discharge to the lessee, who shall not be called upon to see the distribution or other application of the said rentals. The Pacific Company shall in its own name, but on behalf of the lessors respectively, have the right to take all such proceedings and do all such acts as may be necessary in order to collect and enforce payments of the said rentals, and for this purpose the lessee covenants with the Pacific Company to pay the said rental to it in the manner and at the times and places above mentioned

5. Possession of the demised premises shall be given to the lessee on such day as the lessee may call for the same, not later than the first day of April, 1901, and from and after such possession the lessee shall be entitled to the rent issues and profits of the demised premises and of the operation thereof, and shall bear and be charged with the operating expenses and other outgoings in connection therewith, and shall indemnify the lessors against any claim or liability arising from the operation of the demised premises.

6. The intention of the parties is that no interruption may occur in the continuous operation of the demised premises, and that no inconvenience may be suffered by the public by reason of the change of possession, and in order to carry out this intention the lessor will, so far as they are able, cause such of their officers, servants and employees as are concerned in the operation of the demised premises, whom the lessee may ask for, to continue in their various offices, situations and employments under the lessee; and the lessee will receive for and account to the lessors for any outstanding current accounts up to the date of coming into possession payable to the lessors by consignees, other than railway companies, or otherwise in connection with the operation of the demised premises prior to the date of coming into possession, as aforesaid. Provided always that the lessee shall not be responsible for the collection of any such moneys, but only for those paid over to the lessee; provided also that any of the said officers, servants or employees which the lessee may not ask for as above mentioned shall not be taken over.

7. The lessors covenant with the lessee that at the time possession is given as aforesaid there will not be any time

contracts for carriage of freight or express in existence, and there shall not be in existence any contracts or other agreements concerning traffic with any person, railway, express or telegraph company, except a contract with the Great Northwestern Telegraph Company, dated eighteenth February, A.D. 1889; any such contracts or arrangements which may now exist are to be terminated on or before the date above mentioned for giving possession, except said contract with the said telegraph company, the property being leased subject to said contract.

8. During the term hereby demised the lessee shall have the right to exercise and enjoy all the franchises and powers of the lessors in respect to the demised premises and the operation thereof, and shall also be entitled to exercise and enjoy the franchise and powers of the lessors in respect to the acquisition of increased areas of lands for station grounds, rights-of-way, protection against snow, siding and double-tracking and other purposes, and the lessee is hereby authorized by the lessors to take all legal and other proceedings that may be necessary in the exercise of the said franchises and powers, and for that purpose, in the lessee's option, to use the lessee's name or the name of the lessors and the names of the officers of the lessors, which officers are hereby authorized and required upon the demand of the lessee, to append their signatures and to affix the seals of the lessors to any document or instrument that may be necessary or useful in the exercise and use of the said franchises and powers.

9. The lessee shall also have the right to make such improvements upon, alterations and changes in and additions to the demised premises, and to build such buildings, erections and structures therein and thereon as the lessee may deem proper; and also to make with any corporation or person traffic, operating and running agreements for the interchange of cars and traffic and the running of engines and cars upon and over the demised premises, the intention being that the lessee shall during the said term, with respect to the use to be made of the demised premises, have all the rights to the lessors.

10. The lessors covenant with the lessee that at the request of lessee the lessors will affix the names and seals of the lessors to instruments required by the lessee for purposes connected with the demised premises, and will do all acts and things as and when necessary for the convenient and efficient operation of the demised premises, and for carrying out and giving effect to the terms of this indenture, and that the lessee shall have the right to make and enforce either in the names of the lessors or of the lessee such lawful rules, regulations and by-laws concerning the operations of the demised premises as shall be required for the convenient and efficient operation thereof, and for the preservation of order thereon as the lessors are under their charters or other laws applicable authorized to make; subject always to the provisions of "The General Railways Acts," or other laws applicable thereto; and the lessee may, but at the lessee's expense and costs, use the lessors' name in any suit or proceeding in connection with the demised premises.

11. During the term hereby demised the lessee will keep the demised premises in substantially as good repair and con-

dition as they are at present; and the lessee covenants with the lessors that the lessors will not during the said term be called upon to pay any rates or taxes upon or in respect to the demised premises, or charters or franchises of the lessors, and that any rates or taxes lawfully imposed thereon or with respect thereto during the demised term, shall be paid by the company or person operating the demised premises.

12. The lessee will at the expiration or other determination of the demised term yield up the demised premises to the lessors in as good general plight or condition as the same were in at the commencement of the said term; Provided always that with respect to rolling stock, equipment and personal property the lessee may either yield up the same or other rolling stock, equipment and personal property of equal value.

13. The parties hereto agree that the value of the demised premises and of all the franchises, rights and powers of the lessors free from encumbrances is the sum of seven million dollars ($7,000,000.00) and the lessors and the Pacific Company as owner of the bonds in the above recital mentioned, and of all the shares in the capital stock of the lessors hereby respectively consent to the passing of such legislation as may be required in order to enable the lessee at the lessee's option to acquire absolutely the demised premises and said franchises, rights and powers, free from encumbrances, for the sum of seven million dollars ($7,000,000.00), at any time during the term hereby demised.

14. The Pacific Company covenants with the lessee that no default will occur on behalf of the lessors in the payment of the interest upon any of the bonds made by the lessors and secured by mortgage upon the railways and undertaking of the lessors as above recited, and that there are no bonds charged upon the said railways and undertakings other than those set out in the said recital. The Pacific Company further covenants with the lessee that upon the maturity of said bonds, in case the lessee has not then exercised the option to acquire the demised premises which may be given by legislation as above provided for, the Pacific Company will, so far as it is able and to the full extent of its interests in the said bonds and in the capital stocks of the said lessors consent to the time for the payment of the principal of said bonds being extended and will use its best endeavors to procure the same to be extended so long as the lessee has not exercised such option.

15. The lessors and the Pacific Company covenant that there are no liens or encumbrances against the demised premises except those above recited, and as to said recited liens and encumbrances the lessors and the Pacific Company will warrant and defend the title and possession of the lessee. The Pacific Company and the lessors also covenant that they have not done, and will not do or suffer any act or thing which will disturb or impair said title or possession.

16. In case the lessee makes default in payment of the rental hereby reserved on any of the days when the same is payable as above provided, or in case default be made in payment of any rate or taxes lawfully imposed upon or in respect of the demised premises or the charters or franchises of the lessors as provided in clause 11 hereof, and such default in either case continues for ninety days, the lessors or the Paci-

fic Company may give the lessee thirty days' notice in writing to put an end to such default, and if such default continues during said thirty days the lessors or the Pacific Company may by notice in writing to the lessee terminate this lease, and the lessors may thereupon re-enter into and re-possess themselves of the demised premises, but the remedy in this paragraph shall not be exclusive and shall be in addition to any other remedy which the law may give.

17. The parties hereto will use their best endeavors to procure such legislation from the legislature of Manitoba and the Parliament of Canada as may be necessary to confirm this indenture and to enable and require the parties to carry out the same in order that the true intent and meaning of the parties may be properly and fully accomplished.

18. Any notice which the lessee may desire to give to the lessors may be validly given by serving the same on the Pacific Company, who for this purpose are appointed attorneys for the lessors to accept service thereof.

In testimony whereof this indenture has been duly executed by and on behalf of the parties hereto.

NORTHERN PACIFIC AND MANITOBA RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

WINNIPEG TRANSFER RAILWAY COMPANY, LIMITED,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

THE PORTAGE AND NORTH-WESTERN RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

THE WASKADA AND NORTH-EASTERN RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

HER MAJESTY THE QUEEN, represented by the Executive Government of the Province of Manitoba, acting by
[SEAL] ROBERT ROGERS,
Minister of Public Works of said Province.

NORTHERN PACIFIC RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Assistant Secretary.*

In presence of—
C. W. BUNN, as to execution by all parties.

No. 87.

1st Session, 9th Parliament, 1 Edward V

BILL.

An Act to amalgamate the N
Pacific and Manitoba Railway Co
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(*Reprinted as proposed to be amende*
Railway Committee.)

(PRIVATE BILL.)

MR. McCR

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Ma
1901

No. 88.] **BILL.** [1901.

An Act to incorporate the Canadian Nurses Association.

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. Mesdames Margaret Clendenning, of Vancouver ; Elizabeth McKay, of Winnipeg ; P. Murray, of London ; E. G. Flaws, of Kingston ; Mary A. Snively and Louise C. Brent, of Toronto ; C. M. Bowman, of Hamilton ; C. T. Banks, of Ottawa ; F. W. Henderson and N. G. E. Livingstone, of Montreal ; Jane Mitchell, of Halifax ; Emma J. Mitchell, of St. John, New Brunswick, and Ella M. Tynan, of Charlottetown, together with such persons as become members of the association, are incorporated under the name of "The Canadian Nurses Association," hereinafter called "the Association." Incorporation. Corporate name.

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

3. The object of the Association shall be to further the best interests of the nursing profession from a financial and technical standpoint by establishing and maintaining a universal standard of training and by promoting fellowship among its members, by meetings, the reading of papers and discussions on nursing subjects and by interchange of opinions. Object of Association.

4. The Association may adopt a constitution, by-laws, rules and regulations for its government and determine the qualifications for membership. Constitution and by-laws.

5. The members of the Association shall consist of active, associate, ordinary, honorary and corresponding members. Members.

2. The Active members of the Association shall consist of :— Active.

(a) all past and present superintendents of training schools actively engaged in professional nursing work in Canada ;

(b) nurses holding certificates of qualification granted by an incorporated hospital which has not less than forty beds and which gives not less than two full years' training in the hospital, and provided such nurses are acceptable to the Association.

3. Associate members shall consist of all assistant superintendents of training schools for nurses, who shall be eligible Associate.

for associate membership only during the time they are holding such appointments. They shall possess the qualifications required by subsection 2 (b).

Ordinary. 4. Ordinary members shall consist of all certified nurses actively engaged in professional work, who have graduated and hold certificates from incorporated hospitals which have not less than twenty-five beds, and which give not less than two full years' training in the hospital, and provided such nurses are acceptable to the Association.

Honorary. 5. Honorary members shall consist of any person on the board of management of training schools, trustees of hospitals, and others who have shown special interest in nursing work and in promoting the interests of nursing.

Corresponding. 6. Corresponding members shall consist of graduates holding certificates of training schools, who are engaged in nursing work but are not resident in Canada.

Advisory board. **6.** An advisory board for the government of the Association shall be elected at each annual meeting. The board may require candidates for membership in the Association to submit to examination, may impose penalties for unprofessional conduct, rescind certificates of membership for cause, and exercise a general supervision over the affairs of the Association.

Meetings. The board shall meet at least once in every six months, and of such meeting due notice shall be given to the members thereof and to the executive officers of the Association.

Branch associations. **7.** Any ten members of the Association may, with the consent and approval of the advisory board, form themselves into branch associations, subject to this Act and the constitution of the Association hereby incorporated.

Designation of members. **8.** The members of the Association shall have the right to designate themselves as such by using after their names the letters "M. C. N. A." or any other title that the Association may adopt.

Property. **9.** The total value of any property held by the Association shall not exceed the sum of twenty thousand dollars.

Revenues. **10.** The revenues arising from every source of income shall be appropriated solely to the accomplishment of the object of the Association.

No. 88.

1st Session, 9th Parliament, 1 Edward VII

BILL.

An Act to incorporate the Ca
Nurses Association.

First reading, March 22, 190

(PRIVATE BILL.)

MR. CL

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majes
1901

No. 88.] **BILL.** [1901.

An Act to incorporate the Canadian Nurses Association.

(Reprinted as amended and reported by the Committee on Miscellaneous Private Bills,)

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. Mesdames Margaret Clendenning, of Vancouver; Elizabeth McKay, of Winnipeg; P. Murray, of London; E. G. Flaws, of Kingston; Mary A. Snively, Louise C. Brent and Jean Smedley, of Toronto; C. M. Bowman, of Hamilton; Emily Chilman, of Stratford; C. J. Banks, of Ottawa; Margaret McCallum, of Sarnia; . Johnston, of Chatham; F. W. Henderson and N. G. E. Livingstone, of Montreal; Jane Mitchell, of Halifax; Emma J. Mitchell, of St. John, New Brunswick, and Ella M. Tynan, of Charlottetown, together with such persons as become members of the association, are incorporated under the name of "The Canadian Nurses Association," hereinafter called "the Association." Incorporation. Corporate name.

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

3. The object of the Association shall be to further the best interests of the nursing profession from a financial and technical standpoint by establishing and maintaining a universal standard of training and by promoting fellowship among its members, by meetings, the reading of papers and discussions on nursing subjects and by interchange of opinions. Object of Association.

4. The Association may adopt a constitution, by-laws, rules and regulations for its government. Constitution and by-laws.

5. The members of the Association shall consist of active, honorary and corresponding members. Members.

2. All nurses, actively engaged in professional work, who have graduated and hold certificates from any incorporated hospital in Canada, or from any hospital under the control of any Provincial Government or of any municipality in Canada; or who have graduated and hold certificates from any other hospital approved of by by-law of the Association, and which Active.

hospital gives not less than two full years training to nurses before granting them certificates, shall be eligible as active members of the Association.

Honorary.

3. Honorary members shall consist of any person on the board of management of training schools, trustees of hospitals, and others who have shown special interest in nursing work and in promoting the interests of nursing.

Corresponding.

4. Corresponding members shall consist of graduates holding certificates of training schools, who are engaged in nursing work but are not resident in Canada.

Advisory board.

6. An advisory board for the government of the Association shall be elected at each annual meeting. The board may require candidates for membership in the Association to submit to examination before a board of medical practitioners to be named in each province by the president of the provincial Medical Association therein, may impose penalties for unprofessional conduct, rescind certificates of membership for cause, and exercise a general supervision over the affairs of the Association. The board shall meet at least once in every six months, and of such meeting due notice shall be given to the members thereof and to the executive officers of the Association.

Meetings.

Branch associations.

7. Any ten members of the Association may, with the consent and approval of the advisory board, form themselves into branch associations, subject to this Act and the constitution of the Association hereby incorporated.

Designation of members.

8. The members of the Association shall have the right to designate themselves as such by using after their names the letters "M. C. N. A." or any other title that the Association may adopt.

Property.

9. The total value of any property held by the Association shall not exceed the sum of twenty thousand dollars.

Revenues.

10. The revenues arising from every source of income shall be appropriated solely to the accomplishment of the object of the Association.

No. 88.

1st Session, 9th Parliament, 1 Edward V

BILL.

An Act to incorporate the C
Nurses Association.

(*Reprinted as amended and reporte*
Committee on Miscellaneous Privat

(PRIVATE BILL.)

Mr. C

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent M
1901

No. 89.] **BILL.** [1901.

An Act respecting the Grand Falls Water Power and Boom Company.

Preamble.

WHEREAS the Grand Falls Water Power and Boom 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:—

1895, c. 77.

Time for construction extended.

1. The Grand Falls Water Power and Boom Company may construct and complete its works within three years from the passing of this Act; provided that as to so much thereof as is not constructed within that period, the powers of the said company shall cease and determine.

No. 89.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Grand Falls Water Power and Boom Company.

First reading, March 22, 1901.

(PRIVATE BILL.)

MR. COSTIGAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 90.] **BILL.** [1901.

An Act respecting the Dominion Burglary Guarantee Company (Limited).

Preamble.

WHEREAS the Dominion Burglary Guarantee Company (Limited) 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 :—

1893, c. 78, new section 2.

1. Section 2 of chapter 78 of the statutes of 1893 is repealed, and the following is substituted therefor :—

Powers.

"**2.** The Company may make contracts with any person or government for the purpose of guaranteeing them against any loss or damage to property of any kind, whether at rest or in transitu, by reason of burglary, house breaking, theft or robbery, and may issue its guarantee policies in such form as it determines."

New section 9.

2. Section 9 of the said Act is repealed, and the following is substituted therefor :—

Safety vaults.

"**9.** 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."

Appliances.

3. The Dominion Burglary and Guarantee Company (Limited), hereinafter called "the Company," may construct, acquire, maintain and operate any and all appliances and structures used or to be used in connection with its business.

Messenger service.

4. The Company may establish, acquire, maintain and operate messenger and attendance services.

Trust and deposit business.

5. The Company may do the ordinary business of a trust and deposit company.

Power to amalgamate with similar companies.

6. The Company may at any time amalgamate with any Company empowered to carry on a like or similar business to that of the Company, and may acquire the stock of such company, or acquire the plant, property, assets and good will of any person carrying on, or empowered to carry on, a like or similar business to that of the Company; and the said stock, plant, property, assets and good will may be paid for wholly or partly in cash, or wholly or partly in paid up or partly paid up stock of the Company, or wholly or partly in debentures

of the Company, or otherwise, and the Company may undertake, assume, guarantee and pay off any of the obligations, liabilities, contracts and engagements of any company it amalgamates with, or whose stock it acquires, or of any person, whose plant, property, assets and good will it acquires.

No. 90.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the Dominion Burglary Guarantee Company (Limited.)

First reading, March 22, 1901.

(PRIVATE BILL.)

MR. BICKERDIKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 91.] **BILL.** [1901.

An Act to amend the Inland Waters Seamen's Act.

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

R.S.C., c. 75, s. 2 amended.

1. Section 2 of *The Inland Waters Seamen's Act*, chapter 75 of the Revised Statutes, is amended by striking out the words "above the harbour of Quebec" at the end of paragraph (*f*), and by adding thereto the following paragraph:—

"Inland waters of Canada" defined.

"(*g*). The expression 'inland waters of Canada' includes all the rivers, lakes and other navigable waters within Canada, except salt water bays and gulfs on the sea coast, and includes the River St. Lawrence as far seaward as a line drawn from Cape Chatte on the south shore to Point des Monts on the north shore."

Section added.

Jurisdiction in N.-W. T. and Yukon.

2. The following section is added to the said Act:—

"**44.** In the North-west Territories, a judge of the Supreme Court, and in the Yukon Territory, a judge of the Territorial Court, shall have within their respective territorial jurisdictions the same powers, authority and jurisdiction as are conferred by this Act upon any judge of the Superior Court for Lower Canada, judge of the sessions of the peace, judge of a county court, stipendiary magistrate, police magistrate or any two justices of the peace acting within their territorial jurisdictions."

No. 91.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Inland Waters Seamen's Act.

First reading, March 25, 1901.

Sir Louis Davies.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 92.] **BILL.** [1901.

An Act to further amend the Act respecting the Safety of Ships.

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

R.S.C., c. 77, new s. 7.

1. Section 7 of chapter 77 of the Revised Statutes, intituled *An Act respecting the Safety of Ships and the prevention of accidents on board thereof*, as enacted by section 3 of chapter 44 of the statutes of 1894, is repealed and the following is substituted therefor:—

Certain lading not to be placed on deck in winter.

"**7.** No master of any sailing ship, when sailing on or after the first day of October, or before the sixteenth day of March in any year, and no master of any steamship when sailing after the twelfth day of October, or before the sixteenth day of March in any year, on a voyage from any port or place in Canada to any port or place out of Canada, not being a port or place in Newfoundland, or in the United States of America, or in St. Pierre or Miquelon, or in the West Indies, or in South America, and during the voyage while within Canadian jurisdiction, shall place, or cause or permit to be placed or to remain upon, any uncovered space upon the upper deck or in any covered space not included in the cubical contents forming the registered tonnage of such ship,—

Timber.

"(*a.*) Any square, round, waney or other timber;

Spars.

"(*b.*) Any more than five spare spars, or store spars made, dressed and finally prepared for use, or not so dressed and prepared;

Where deck is not closed in.

"(*c.*) Any cargo of any description to a height exceeding three feet above the deck, in any space where the deck of such ship is not closed in:

Where deck is closed in.

"(*d.*) Any deals, battens or other light wood goods of any description to a height exceeding three feet above the deck, in any space where the deck of such ship is closed in:

Proviso: in case of leak or damage to ship.

"Provided always, that if the master of any such ship considers that it is necessary, in consequence of the springing of a leak, or of other damage received or apprehended during the voyage, he may place and keep on any space on the upper deck, covered or uncovered, not included in the cubical contents forming the ship's registered tonnage, any wood goods forming part of the cargo of such ship, and permit the same to remain there for such time as he considers expedient.

Duty of Customs officer.

"2. Before any officer of the customs permits any ship, subject to the provisions of the next preceding subsection, to clear out from any port in Canada, he shall ascertain that no

provision of the said subsection is violated in respect of such ship and the cargo thereof; and he shall give the master of such ship a certificate to that effect; and no master of any ship shall sail in such ship when subject to the provisions of the next preceding subsection from any port in Canada until he has obtained such certificate.

Certificate.

Ships sailing to the West Indies.

"3. No master of any ship, when sailing after the fifteenth day of November or before the sixteenth day of March in any year, on a voyage from any port in Canada to any port in the West Indies, and during the voyage while within Canadian jurisdiction, shall, if she is a single decked vessel, place or cause or permit any cargo whatever to be placed or remain upon or above the deck to a height of more than six feet above the deck,—nor if she has a spar deck, shall he place or cause or permit to be placed or remain, any cargo on or above any part of such spar deck; but this provision shall not prevent such master from carrying two spare spars or store spars, made, dressed and finally prepared for use, on the deck or on the spar deck of such ship: Provided always, that if the master of any such ship considers that it is necessary in consequence of the springing of a leak or of other damage received or apprehended during the voyage, he may remove and place upon the upper deck or on the deck or spar deck of such ship, any part of the cargo, and permit the same to remain there for such time as he considers expedient.

Certain modes of carrying cargo forbidden.

Exception.

Proviso: in case of leak or damage to ship.

Duty of Customs officer.

"4. Before any officer of the customs permits any ship subject to the provisions of the next preceding subsection, to clear out from any port in Canada, he shall ascertain that no provision of the said subsection is violated in respect of such ship and the cargo thereof, and shall give the master of such ship a certificate to that effect; and no master of any ship shall sail in such ship, when subject to the provisions of such subsection, from any port in Canada, until he has obtained such certificate.

Certificate.

Not to apply to British Columbia.

"5. Nothing in this section contained shall apply to any vessel sailing from British Columbia."

1900, c. 35 repealed.

2. Chapter 35 of the statutes of 1900 is hereby repealed.

No. 92.

1st Session, 9th Parliament, 64 Victoria,

B I L L

An Act to further amend the A respecting the Safety of Ships.

First reading, March 25, 1901.

Sir Louis Davies

OTTAWA
Printed by S. E. Dawson
Printer to the Queen's most Excellent Majesty
1901

No. 93.] **BILL.** [1901.

An Act respecting Inquiries and Investigations into Shipping Casualties.

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

1. This Act may be cited as *The Shipping Casualties Act*, 1901. Short title.

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

(*a*) The expression "the Minister" means the Minister of Marine and Fisheries; "Minister."

(*b*) The expression "master" includes every person, except a pilot, having command or charge of any vessel; "Master."

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

(*d*) The expression "vessel" includes every description of vessel used in navigation; "Vessel."

(*e*) The expression "inland waters" includes all the rivers, lakes and other navigable waters within Canada; "Inland waters."

(*f*) The expression "coasts" includes the sea coast and the salt water bays, gulfs and harbours on the sea coast. "Coasts."

3. A shipping casualty shall be deemed to occur in any of the cases following, that is to say:— Shipping casualties.

(*a*) Whenever any ship is lost, abandoned or damaged in any of the inland waters of Canada or on or near the coasts of Canada, or on a voyage to a port in Canada;

(*b*) Whenever any ship causes loss or damage to any other ship in, on or near such inland waters or coasts;

(*c*) Whenever, by reason of any casualty happening to or on board of any ship in, on or near such inland waters or coasts, loss of life ensues;

(*d*) Whenever any such loss, abandonment, damage or casualty happens elsewhere, and any competent witness thereof arrives or is found at any place in Canada;

(*e*) When any loss of life occurs by reason of any casualty happening to or on board any boat belonging to a fishing or other vessel registered in Canada;

(*f*) When any British ship is lost or supposed to have been lost and any evidence is obtainable in Canada as to the circumstances under which she proceeded to sea or was last heard of.

4. The Minister may direct the principal officer of customs residing at or near the place where such shipping casualty occurred, if it occurred on or near any of the inland Preliminary inquiry into shipping casualties.

waters of Canada or on or near the coasts of Canada, but if elsewhere, at or near the place where such witness as aforesaid arrives, or is found, or can be conveniently examined, or any officer of the Government of Canada, whom the Minister appoints, or any other person appointed by the Minister, to make inquiry respecting such shipping casualty.

Powers as to inquiry.

5. Every such officer or person as aforesaid shall have the following powers to hold a preliminary inquiry, that is to say:—

Inspection of ship.

(*a*) He may go on board any vessel or wreck, and may inspect it or any part thereof, or any of the machinery, boats, equipments, lading, or articles on board thereof, the boarding or inspection of which appears to him to be requisite for the purpose of the inquiry he is required to make, not unnecessarily detaining any such vessel from proceeding on any voyage;

Entry.

(*b*) He may enter and inspect any premises, the entry and inspection of which appears to him requisite for the purpose of the inquiry he is to make;

Witnesses.

(*c*) He may, by summons under his hand, require the attendance of all such persons as he thinks fit to call before him and examine for such purpose, and may require answers or returns to any inquiries he thinks fit to make;

Documents.

(*d*) He may require and enforce the production of all books, papers or documents which he considers important for such purpose;

Oaths.

(*e*) He may administer oaths, or may, in lieu of requiring and administering an oath, require every person examined by him to make and subscribe a solemn affirmation or declaration of the truth of the statement made by him in his examination.

Witness to be allowed expenses.

2. Every witness so summoned shall be allowed such expenses as would be allowed to any witness attending on subpœna to give evidence before any court of record in the Province of Canada in which the preliminary inquiry is held; and in case of any dispute as to the amount of such expenses, the dispute shall be referred by such officer or person to the nearest prothonotary, clerk, master, or other taxing officer of any court of record within the jurisdiction of which the attendance is required, who, on a request made to him for that purpose under the hand of such officer or person, shall ascertain and certify the proper amount of such expenses.

Penalty for refusing to give evidence.

3. Every person who refuses to attend as a witness before any such officer or person, after having been required so to do in the manner hereby directed, and after having had a tender made to him of the expenses, if any, to which he is entitled as aforesaid, or who refuses or neglects to make any answer, or give any return, or to produce any document in his possession, or to make or subscribe any solemn affirmation or declaration which any such officer or person requires, shall for each such offence incur a penalty not exceeding forty dollars.

Recovery of penalties.

4. Any penalty incurred under this section may be recovered in the name of His Majesty in a summary manner with costs under the provisions of Part LVIII of the *Criminal Code*, 1892.

Penalty for obstructing

6. Every person who wilfully impedes any such officer or person in the execution of his duty, whether on board any

vessel or elsewhere, shall incur a penalty not exceeding forty dollars, and may be seized and detained by such officer or person, or by any person whom the said officer or person calls to his assistance, until such offender can be conveniently taken before some justice of the peace or other officer having jurisdiction, and the penalty incurred may be recovered in the name of His Majesty in a summary manner with costs under the provisions of Part LVIII of the *Criminal Code*, 1892.

Officer in execution of his duty.

Recovery of penalty.

7. Upon the conclusion of any such inquiry the officer or person who made it shall send to the Minister a report containing a full statement of the case, and of his opinion thereon, accompanied by such report of or extracts from the evidence and such observations as he thinks fit.

Report to the Minister.

8. If it appears to the Minister either upon or without any preliminary inquiry into a shipping casualty that a formal investigation is requisite or expedient, or if the Minister has reason to believe that any master, mate or engineer is from incompetency or misconduct unfit to discharge his duties or has failed to render assistance and to give information in case of collision, the Minister may appoint any officer of the Government of Canada or any judge of a county court, or any judge of the superior court of the Province of Quebec, or any stipendiary magistrate to be a commissioner for the purpose of such investigation, and such commissioner shall be deemed a court for such purpose.

Formal investigation.

2. A court so appointed as aforesaid is authorized to hold a formal investigation in the following cases, viz. :—

In what cases.

(*a*) Into a shipping casualty ;

(*b*) Where a master, mate or engineer has been charged with incompetency or misconduct on board a British ship on or near the coasts of Canada, or on or near any of the inland waters of Canada, or in the course of a voyage to a port in Canada ;

(*c*) Where the incompetency or misconduct has occurred on board a British ship registered in Canada ;

(*d*) Where the master, mate or engineer of a British ship who is charged with incompetency or misconduct on board that British ship is found in Canada ;

(*e*) Where in a case of collision the master or certificated officer in charge of a vessel fails without reasonable cause to render to the other vessel, her master, crew and passengers such assistance as is practicable and necessary to save them from any danger caused by the collision, and to stay by the other vessel until he has ascertained that she has no need of further assistance, and also to give to the master or person of charge of the other vessel the name of his own vessel and in the port to which she belongs, and also the names of the ports from which she comes and to which she is bound.

9. The Minister may at any time appoint one or more assessors of nautical, engineering or other special skill or knowledge for the purpose of assisting such courts in holding formal investigations into shipping casualties, and such appointments shall be in force for three years : Provided, however, that an assessor shall from time to time be eligible for reappointment ;

Assessors.

and provided also, that the Minister may at any time cancel the appointment of any assessor.

To assist court.

2. A court holding a formal investigation into a shipping casualty shall hold it with one or more assessors to be selected for that purpose by the Minister.

If investigation may affect certificate of master, etc.

3. Where a formal investigation into a shipping casualty involves or appears likely to involve any question as to the cancelling or suspension of the certificate of a master, mate or engineer, the court shall hold the investigation with the assistance of not less than two assessors having experience in the merchant service.

Powers of court of investigation.

10. Such court shall have the power of summoning before it any person, and of requiring him to give evidence on oath, either orally or in writing, and to produce such documents and things as such court deems requisite to the full investigation of the matters into which it is appointed to examine; and such court 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 justice in civil cases; and the proceedings of such court shall be assimilated as far as possible to those of the ordinary courts of justice, with the like publicity; and such court shall have all the powers conferred by section 478 of the (Imperial) Merchant Shipping Act, 1894, on any court authorized by the legislature of any British possession to make inquiries as to shipwrecks or other casualties affecting ships or as to charges of incompetency or misconduct on the part of masters, mates or engineers of ships.

Expenses of witnesses.

2. Every witness summoned under this section shall be allowed such expenses as would be allowed to any witness attending on subpœna to give evidence before any court of record in the Province of Canada in which the formal investigation is held.

Penalty for refusing to give evidence.

3. Every person who refuses to attend as a witness before the said court, after having been required so to do in the manner hereby directed, and after having had a tender made to him of the expenses, if any, to which he is entitled as aforesaid, or who refuses or neglects to make any answer, or to give any return, or to produce any document in his possession, or to make or subscribe any solemn affirmation or declaration which the court may require, shall for each such offence incur a penalty not exceeding forty dollars.

Recovery of penalties.

4. Any penalty incurred under this section may be recovered in the name of His Majesty in a summary manner with costs under the provisions of Part LVIII of the *Criminal Code*, 1892.

Commissioners and assessors to take oath of office.

11. Every commissioner and assessor, before entering upon his duties, shall take and subscribe an oath well, faithfully and impartially, to execute the duties assigned to him by this Act.

Duty of commissioner.

12. When the Minister, at the request of any person, appoints a commissioner to hold a formal investigation, it shall be the duty of such person to superintend the management of the case and to render such assistance to the court as is in his power.

Costs of investigation.

13. The court may make such order as the court thinks fit respecting the costs of such investigation, or the rehearing thereof, or any part of such investigation or rehearing, and such order shall be enforced by the court as an order for costs under Part LVIII of the *Criminal Code*, 1892.

Must be paid by Minister.

2. The Minister may, if in any case he thinks fit so to do, pay the costs of any such formal investigation out of any sums voted by Parliament for the purpose of holding investigations into shipping casualties.

Defence of accused.

14. Every formal investigation shall be conducted in such manner that if a charge is made against any person, that person shall have an opportunity of making a defence.

In certain case accused entitled to statement.

15. Whenever a formal investigation is likely to involve a question as to cancelling or suspending the certificate of competency or service of any master, mate or engineer, he shall be furnished before the commencement of the investigation with a copy of the report or statement of the case upon which the investigation has been ordered.

Where investigation shall be held.

16. Formal investigations shall be held in some town hall or county court, or public building, or in some other suitable place to be determined by the court.

Cancelled or suspended certificates to be delivered to court.

17. A master, mate or engineer whose certificate is cancelled or suspended shall deliver his certificate to the court on demand; and if any master or mate fails to deliver his certificate when so required, he shall incur a penalty not exceeding two hundred dollars, and such penalty may be recovered with costs in the name of His Majesty in a summary manner under the provisions of Part LVIII of the *Criminal Code*, 1892.

Penalty.

Decision to be stated in open court.

18. Where any formal investigation involves a question as to the cancelling or suspending of a certificate, the court shall, at the conclusion of the case or as soon afterwards as possible, state in open court the decision to which they have come with respect to the cancelling or suspending thereof.

Report to Minister.

2. The court shall in all cases send a full report on the case with the evidence, to the Minister, and if they determine to cancel or suspend any certificate, the certificate cancelled or suspended shall be sent to the Minister with their report.

What shall be done with certificate.

3. Where such cancelled or suspended certificate has been issued by the Government of Canada it shall be retained by the Minister; where it has been issued by the Board of Trade, it shall be forwarded, with the report and evidence, to the Board of Trade; and where it has been issued by any British possession other than Canada, the certificate, together with a full report upon the case and a copy of the evidence, shall be sent to the Governor of such British possession.

Duty of assessor.

4. Where a formal investigation is held into a shipping casualty each assessor shall either sign the report or state in writing his dissent therefrom and the reasons for that dissent.

Copy of judgment to be furnished.

5. The court shall furnish to any master, mate or engineer whose certificate has been cancelled or suspended or to his agent a copy of the judgment of the court.

Minister may make rules.

19. The Minister may make general rules for the carrying into effect the enactments relating to formal investigations and to the rehearing of any formal investigation and in particular with respect to the appointment and summoning of assessors, the procedure, the parties, the persons allowed to appear, and the notice to the parties or to persons affected.

Power of Minister as to certificates.

20. The Minister may suspend or cancel the Canadian certificate of any master, mate or engineer if it is shown that he has been convicted of an offence.

Power of court as to certificates.

21. The certificate of a master, mate or engineer may be cancelled or suspended by a court holding a formal investigation under this Act, if the court find that the loss or abandonment of, or serious damage to, any ship, or loss of life, has been caused by his wrongful Act or default, or if it finds that he is incompetent, or has been guilty of any gross act of misconduct, drunkenness, or tyranny, or that in a case of collision he has failed to render the assistance or to give the information required: Provided that in the case of a formal investigation into a shipping casualty the court shall not cancel or suspend a certificate unless one at least of the assessors concurs in the finding of the court.

Proviso: as to concurrence of assessors.

Holder of certificate entitled to statement.

2. A certificate shall not be cancelled or suspended by a court under this section unless a copy of the report or a statement of the case upon which the investigation has been ordered, has been furnished before the commencement of the investigation to the holder of the certificate.

Power of Minister to restore certificates.

22. The Minister may, if he thinks that the justice of the case requires it, re-issue and return the Canadian certificate of a master, mate, or engineer which has been cancelled or suspended, or shorten the time for which it is suspended, or grant in place thereof a certificate of the same or any lower grade.

No investigation into case already dealt with,

23. An investigation shall not be held under this Act into any matter which has once been the subject of an investigation or inquiry and has been reported on by a competent court or tribunal in any part of His Majesty's dominions, or with respect to which the certificate of a master, mate, or engineer has been cancelled or suspended by a naval court.

Or into case under investigation in U. K.

24. Where an investigation or inquiry has been commenced in the United Kingdom with reference to any matter, an inquiry with reference to the same matter shall not be held under this Act.

Re-hearing of investigation.

25. In any case where a formal investigation has been held the Minister may order the investigation to be re-heard, either generally or as to any part thereof; and he shall do so—

(*a*) if new and important evidence which could not be produced at the investigation has been discovered; or

(*b*) if for any other reason there has in his opinion been ground for suspecting that a miscarriage of justice has occurred.

By which court.

2. The Minister may order the case to be reheard by the court by whom the case was heard in the first instance.

26. Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of *The Wrecks and Salvage Act*, chapter 81 of the Revised Statutes, and chapter 23 of the statutes of 1893, in amendment thereof, are repealed. Repeal of parts of R.S. C., c. 81, and of 1893, c. 23.

No. 93.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting Inquiries and Investigations into Shipping Casualties.

First reading, March 25, 1901.

Sir Louis Davies.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 94.] **BILL.** [1901.

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:—

Expropriation of railways.

1. His Majesty may, whenever he deems it in the public interest, and after sixty days' notice to the railway company, expropriate any railway to which *The Railway Act* applies; and upon such expropriation the railway and its appurtenances, and all the rights and privileges of the company with regard thereto, shall be vested in the Crown.

1888, c. 29.

1889, c. 13, to apply.

2. *The Expropriation Act* shall, so far as applicable, apply to such expropriation.

Compensation.

3. In fixing the compensation to be paid to the company whose railway is expropriated, there shall be deducted from the value of such railway the amount of all subsidies in money paid in connection therewith either by the Government of Canada or of a province or by a municipality.

Application of this section.

2. The provisions of this section shall apply to all railway companies incorporated after the commencement of the present parliament.

No. 94.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Railway Act.

First reading, March 25, 1901.

Mr. Richardson
(Lisgar).

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 95.] **BILL.** [1901.

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

Preamble.

WHEREAS the Ontario, Hudson's Bay and Western Railways Company has, by its petition, represented that it was incorporated by chapter 124 of the statutes of the province of Ontario of 1890, under the name of the Sault Ste. Marie and Hudson's Bay Railway Company, and that by chapter 101 of the statutes of 1899, the name of the said company was changed to the Ontario Hudson's Bay and Western Railways Company, 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, declares and enacts as follows:—

Ont., 1890, c. 124.

Ont., 1899, c. 101.

Declaratory.

1. In this Act the expression "the Company" means the body politic and corporate created by chapter 124 of the statutes of Ontario of 1890, and the works which the Company is empowered to undertake by virtue of the Acts of the province of Ontario relating to it are declared to be for the general advantage of Canada.

Existing rights saved.

2. Nothing herein contained shall affect anything done, or any right or privilege acquired, or any liability incurred under the said Acts up to and at the time of the passing of this Act, to all of which rights and privileges the Company shall continue to be entitled, and to all of which liabilities the Company shall continue to be subject.

Existing officers continued.

3. The officers and directors of the Company elected or appointed under the authority of any Act of the legislature of the province of Ontario relating to the Company shall continue to be the officers and directors of the Company until their successors are lawfully elected or appointed under this Act or *The Railway Act.*

Contracts, etc. made under provincial Acts.

4. All acts lawfully done and all contracts, agreements and instruments in writing heretofore lawfully made, entered into or executed by or on behalf of the Company, or in relation thereto, with respect to the undertaking of the Company, under the authority of any Act of the legislature of Ontario, are confirmed and declared to be valid and binding upon the Company and upon all other parties thereto.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the fourth Tuesday in September in each year.

Election of directors.

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

Proxies.

2. No person other than a shareholder eligible to vote may vote or act as a proxy at any meeting of the Company.

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 near the town of Sault Ste. Marie in the district of Algoma to a point on the Canadian Pacific Railway between White River station and Ridout station, thence northerly and easterly to Moose Factory or some other point on James Bay in the province of Ontario.

Powers of Company.

8. The Company may, in connection with its undertaking and for the purpose of its business—

Roads buildings, etc.

(*a.*) construct and operate, or aid in and subscribe towards the construction, operation, maintenance and improvement of stage or wagon roads, tramways, docks, piers, viaducts, flumes, ditches, elevators or other buildings and works;

Electricity.

(*b.*) erect, use and manage or aid or subscribe towards works, machinery and plant for the generation, transmission and distribution of electric power and energy;

Water power.

(*c.*) acquire and utilize water power and dispose thereof either directly or by converting it into electric or other power and energy;

Vessels.

(*d*) construct, charter, navigate and dispose of steam and other vessels;

Carriers, etc.

(*e.*) carry on the business of carriers, forwarding and transportation agents and all other business incident thereto or connected therewith, and also the business of wharfingers, shippers and vessel owners;

Patent rights.

(*f.*) acquire exclusive rights in letters patent, franchises or patent rights, and again dispose thereof.

Telegraph and telephone lines.

9. The Company may construct and operate telegraph and telephone lines and establish offices for the transmission of messages for the public and collect tolls for so doing, and, for the purpose of operating such telegraph and telephone lines, the Company may enter into a contract with any other company, or may lease the Company's lines or any part thereof, and may connect its lines with the lines of any telegraph or telephone company.

Agreement with telegraph or telephone companies.

2. The Company may enter into an agreement with any telegraph or telephone company for the exchange and transmission of messages, or the working in whole or in part of the lines of the Company.

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

10. The Company may, under the authority of a resolution passed by the ordinary shareholders at a special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed stock of the Company are present or represented by proxy, issue any portion of its capital stock as preference stock, and such preference stock shall have such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the resolution. Issue of preference stock.

2. Holders of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act, provided, however, that in respect of dividends and otherwise, they shall, as against the ordinary shareholders, be entitled to the preference and rights given by such resolution. Rights of preference shareholders.

3. Nothing in this section contained, or done in pursuance thereof, shall affect or impair the rights of creditors of the Company. Creditors not affected.

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

12. In addition to the bonds, debentures or other securities authorized by the next preceding section the Company, being first authorized by a resolution passed at a special general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed capital stock of the Company are present or represented by proxy, may, from time to time, issue promissory notes, bonds, debentures or other securities in aid of the acquisition of any vessels or other property, other than the railway, which the Company is authorized to acquire, but such promissory notes, bonds and debentures shall not exceed in amount the value of such vessels or property. Bond issue on other property. Promissory notes.

2. For the purpose of securing the issue of such bonds the Company shall execute a mortgage or mortgages not inconsistent with law or with the provisions of this Act, in such form and containing such provisions as are approved by a resolution passed at the said special general meeting. Mortgages to secure bonds.

3. The said mortgages shall be made to trustees appointed for this purpose at the said special general meeting and may contain provisions establishing the amount secured upon the vessels, class of vessels or property other than the railway to which such mortgages relate, the rank and privilege to appertain to the bonds intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders of such bonds, the mode of assuring the application of the proceeds of such bonds to the purposes for which they are to be issued, the rate of interest payable thereon, the place and time of payment of such interest and of the capital thereof, the creation of a sinking fund for the redemption of such bonds, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms thereof and for the protection of the holders of such bonds. To be made to trustees.

Power to bind tolls and revenue.

4. The Company may charge and bind the tolls and revenue of the vessels or class of vessels or property other than the railway to which any such mortgages relate, in the manner and to the extent therein specified, and each such mortgage shall create a first lien and incumbrance on the vessels or class of vessels or property, other than the railway, therein described, as well as on the tolls, revenues and subsidy therein hypothecated, the whole being for the benefit of the holders of the bonds in respect of which such mortgage is made.

How bonds to rank.

13. Each issue of bonds intended to be secured by any of the mortgages referred to in the next preceding section shall entitle the respective holders of each such issue to rank with each other *pari passu*, and a duplicate of each mortgage shall be filed in the office of the Secretary of State of Canada.

No. 95.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

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

First reading, March 26, 1901.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most excellent Majesty
1901

No. 97.] **BILL.** [1901.

An Act to incorporate the Manufacturers and Temperance and General Life Assurance Company.

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

1. Honourable George W. Ross, Robert Jaffray, E. R. Wood, J. F. Junkin, Henry Lowndes, E. J. Lennox, George H. Wilkes, Robert Crean A. J. Wilkes, Henry Sutherland, Henry M. Pellatt, D. C. Hossack, Robert Kilgour, Lloyd Harris, James Mills, W. Nattress, E. R. Machum, R. L. Patterson, Clarence J. McCuaig, J. A. Ouimet, W. Strachan, Robert Archer and J. D. Rolland, together with such persons as become members of the company are incorporated under the name of "Manufacturers and Temperance and General Life Assurance Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

4. The Company may effect contracts of insurance throughout Canada and elsewhere with any person upon lives or in any way dependent upon lives, and may grant, sell or purchase annuities either for lives or otherwise, or on survivorships ; may grant endowments and may purchase contingent rights, whether of reversions, remainders, annuities, life policies or otherwise, and generally may enter into any transaction dependent upon the contingency of life entered into by life insurance companies, including re-assurance, and generally carry on the business of life insurance in all its branches and forms. Business of Company.

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

2. The directors may, from time to time, establish branches, sub-boards or agencies either within Canada or elsewhere as they deem expedient. Branches.

Power to acquire Manufacturers and Temperance and General companies.

6. The Company may purchase and acquire from the Manufacturers Life Insurance Company (hereinafter called "the Manufacturers Company") and the Temperance and General Life Assurance Company of North America (hereinafter called "the Temperance Company") and the Manufacturers Company and the Temperance Company may respectively sell and convey to the Company their respective entire assets, business, properties, name and goodwill upon the terms of the proposed agreement set out in the schedule to this Act (hereinafter called "the proposed agreement,") and the Company and the Manufacturers Company and the Temperance Company may enter into the proposed agreement of purchase and sale and do all other acts necessary or convenient for the purpose of such purchase and sale.

How agreement to be executed.

7. The directors of the Manufacturers Company and the directors of the Temperance Company may cause the proposed agreement to be executed under the corporate seals of the companies of which they are respectively directors; and the first directors of the Company may approve of the proposed agreement and cause it to be executed under the corporate seal of the Company, and the said agreement when so executed by the parties thereto shall be in all respects valid and binding.

Property to vest in Company.

8. The execution of the proposed agreement shall *ipso facto* vest in the Company the interest and title in and to all the business, assets, interests, rights, franchises, credits, stocks, mortgages, securities, bonds, debentures, choses in action, effects and property, real, personal and mixed of whatsoever kind and wheresoever situate belonging to or owned or possessed by the Manufacturers Company and the Temperance Company, or either of them, or to which they or either of them may be or become entitled, including the good will of the said business heretofore carried on by each of them; with the exclusive right to use the name of the Manufacturers Company and the name of the Temperance Company in connection with the business so purchased, and to hold out and represent the Company as carrying on such business in continuation of the business of the Manufacturers Company and of the Temperance Company respectively and in succession thereto, and with the right either in the name of the Manufacturers Company, or of the Temperance Company, or of the Company, to execute all receipts, releases, discharges of mortgage and other documents which, but for this Act and the execution of the proposed agreement, would have called for execution by the Manufacturers Company or the Temperance Company; and upon the execution of the proposed agreement the Company shall be liable for and subject to and shall pay, satisfy and perform all the debts, liabilities, contracts and engagements of the Manufacturers Company and of the Temperance Company and each of them, including all obligations to policy holders, and any person having any claim, demand, right, cause of action or complaint against the Manufacturers Company or the Temperance Company or to whom the Manufacturers Company or the Temperance Company is under any liability, obligation, contract or duty shall have the same rights and powers with

Company to become liable for debts of acquired companies.

respect thereto and to the collection and enforcement thereof from and against the Company, its directors and shareholders, as such person has against the Manufacturers Company, its directors and shareholders, or the Temperance Company, its directors and guarantors.

Issue of capital stock.

9. Upon the execution of the proposed agreement the first directors of the Company shall issue fifteen thousand shares in the capital stock of the Company, upon each of which shares there shall be credited twenty dollars as paid thereon, and which shares shall be and be considered as paid up to the extent of twenty per cent of the amount thereof, and shall allot the same to and amongst the holders of shares in the Manufacturers Company and in the guarantee fund of the Temperance Company respectively in the manner provided in the proposed agreement.

Securities deposited.

10. Upon the execution of the proposed agreement al securities deposited by the Manufacturers Company or the Temperance Company with the Minister of Finance and Receiver General shall be transferred into the Company's name and be considered as deposited by it with the Minister of Finance and Receiver General, and so much of such securities as are not necessary to constitute the deposit required to be made by the Company under the provisions of *The Insurance Act* shall, on application by the Company, be transferred or handed over to it by the Minister of Finance or Receiver General.

General meetings.

11. A general meeting of the members of the Company shall be held once in each year for the election of directors and the transaction of business generally, and the first directors shall call the first general meeting of the members of the Company as soon as possible and within three months after the passing of this Act. The first directors shall hold office until their successors are appointed, and until otherwise determined by them a majority of the first directors shall be a quorum for the transaction of business.

First directors.

Number of directors.

12. The affairs of the Company shall be managed by a board composed of such number of directors not less than seven nor more than twenty-five as may be from time to time fixed by by-law. Any member of the Company shall be eligible as a director who is the holder of at least fifty shares in the capital stock of the Company upon which all calls have been paid, or is the holder of a participating life policy in the Company or in the Manufacturers Company or in the Temperance Company for the sum of at least five thousand dollars upon which all premiums due have been paid, but the majority of the board of directors shall always be composed of members each holding the qualifying number of shares aforesaid.

Qualification.

Voting.

13. At all general meetings of the Company each shareholder present or represented by proxy, who has paid all calls due upon his shares in the capital stock of the Company, shall have one vote for each share held by him. Every proxy must

Proxies.

be himself a member and entitled to vote. Each person holding a policy from the Company or a policy from the Manufacturers Company or the Temperance Company, whether such person is a shareholder of the Company or not, who is by the terms of his policy entitled to participate in profits and who has paid all premiums due on such policy, shall be a member of the Company and shall be entitled to attend and vote in person at all general meetings of the Company and shall have one vote for each one thousand dollars of insurance held by him.

Temperance section.

14. The Temperance Section of the Temperance Company shall hereafter be maintained by the Company as its Temperance Section in such manner as the directors think best.

Officers of Company.

15. The directors shall elect from among themselves a president of the Company and one or more vice-presidents.

Payment of expenses.

Powers of directors.

16. The directors may pay all expenses incurred in connection with this Act and the proposed agreement and the carrying out thereof, and, in addition to any other powers possessed by them the directors,—

Profits.

(*a*) may set apart from time to time at their discretion such portion of the net profits as they deem safe and proper for distribution as dividends or bonuses to shareholders and holders of participating policies, ascertaining the part thereof which has been derived from participating policies in the Temperance Section and the part thereof which has been derived from participating policies in any other section or sections and distinguishing such parts from the profits derived from other sources, and the holders of participating policies in the Temperance Section shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies in the Temperance Section to the extent of not less than ninety per cent thereof; and the holders of participating policies in any other section or sections shall be entitled to share in that portion of the profits so set apart which has been so distinguished as having been derived from participating policies in such other section or sections, to the extent of not less than ninety per cent thereof;

Delegation of powers.

(*b.*) may delegate any of their powers to committees consisting of such member or members of their body as they think fit and any committee of directors shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the directors;

Remuneration.

(*c*) may, if authorized by the Company in general meeting, determine the remumeration, if any, of the directors and of the members of any committee to whom they may delegate any of their powers and of all boards and local boards which they may establish.

R.S.C., c. 124.

17. This Act and the Company and the exercise of the powers hereby conferred shall be subject to the provisions of *The Insurance Act.*

R.S.C., c. 118.

18. *The Companies Clauses Act*, except sections 7, 9, 10, 18, 24, 38, 39 and 41 thereof, shall apply to the Company.

SCHEDULE.

AGREEMENT made the _____ day of _____, A.D., 1901. between the Manufacturers Life Insurance Company (hereinafter called "the Manufacturers Company,") of the first part; The Temperance and General Life Assurance Company of North America (hereinafter called "the Temperance Company,") of the second part; and The Manufacturers and Temperance and General Life Assurance Company (hereinafter called "the Company,") of the third part.

Whereas the Manufacturers Company and the Temperance Company have respectively heretofore carried on the business of life insurance companies;

And whereas the Company has been incorporated by the Parliament of Canada for the purpose of carrying on the business of a life insurance company and to acquire the business of the Manufacturers Company and the Temperance Company respectively, upon the terms hereinafter set out;

And whereas the capital stock of the Manufacturers Company is $2,000,000, of which $1,000,000 has been subscribed and $200,000 has been paid up;

And whereas the guarantee fund of the Temperance Company is $1,000,000, all of which has been subscribed and fully paid up;

And whereas the authorized capital of the Company is $3,000,000, divided into 30,000 shares of $100 each;

And whereas by the Act incorporating the Company the parties hereto are authorized and empowered to enter into these presents;

Now it is hereby agreed by each of the parties hereto with the other and others of them as follows:—

1. The Manufacturers Company and the Temperance Company and each of them shall sell and the Company shall purchase all the business, assets, interests, rights, franchises, credits, stocks, mortgages, securities, bonds, debentures, choses in action, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situate, belonging to or owned or possessed by the Manufacturers Company and the Temperance Company, or either of them, or to which they or either of them may be or become entitled, including the goodwill of the said business heretofore carried on by each of them, with the exclusive right to use the name of the Manufacturers Company and the name of the Temperance Company in connection with the business so purchased, and to hold out and represent the Company as carrying on such business in continuation of the business of the Manufacturers Company and of the Temperance Company respectively and in succession thereto.

2. The consideration in part for the said sale by the Manufacturers Company shall be the sum of $200,000; and the consideration in part for the sale by the Temperance Company shall be the sum of $100,000.

3. The said considerations in part shall be fully paid and satisfied by the allotment to the shareholders of the Manufacturers Company of 10,000 shares in the capital stock of the

Company paid up to the extent of 20 per cent in such way that each holder of shares in the capital stock of the Manufacturers Company shall receive one share in the capital stock of the Company paid up to the extent of 20 per cent for each $20 paid up upon the shares now held by him in the capital stock of the Manufacturers Company, and by the allotment to the holders of shares in the guarantee fund of the Temperance Company of 5,000 shares in the capital stock of the Company, paid up to the extent of 20 per cent in such way that each holder of shares in the guarantee fund of the Temperance Company shall receive one share in the capital stock of the Company paid up to the extent of 20 per cent for each $20 paid up upon the shares now held by him in the guarantee fund of the Temperance Company.

4. As the residue of the consideration for the said sale the Company undertakes to assume, pay, satisfy and perform all the debts, liabilities, contracts and engagements of the Manufacturers Company and of the Temperance Company, and each of them, including all obligations to policy holders, and shall indemnify the Manufacturers Company and the Temperance Company and each of them, and the shareholders of the Manufacturers Company and the guarantors of the Temperance Company and each and every of them respectively against all proceedings, claims and demands in respect thereof.

5. The sale and purchase shall be completed and the business of the Manufacturers Company and of the Temperance Company respectively shall be taken over by the Company as speedily as may be after the execution of this agreement, and in the meantime shall be carried on for the benefit of the Company.

6. The Manufacturers Company and the Temperance Company and each of them shall from time to time, at the expense of the Company, execute and do all such assurances and things for better vesting the whole and every part of the subject matter of the said sale and purchase in the Company, and giving to it the full benefit of this agreement as shall be reasonably required by the Company.

7 Upon receiving the shares in the capital stock of the Company above agreed to be allotted to the holders of shares in the Manufacturers Company and to the holders of shares in the Guarantee Fund of the Temperance Company, the said holders shall respectively transfer and assign to the Company the said shares held by them respectively, and such shares shall thereafter be retained by the Company, and the voting power thereon shall be used only for the purposes of completing and carrying out the purposes of this agreement; and the Company agrees with the Manufacturers Company (the Manufacturers Company acting herein for itself as a corporatin, and also acting for each and every of its shareholders) and with the Temperance Company (the Temperance Company acting herein for itself as a corporation, and also acting for each and every of the holders of shares in its Guarantee Fund) that the Compay will indemnify and save harmless each and every of the shareholders of the Manufacturers Company and each and every of the holders of shares in the Guarantee Fund of the Temperance Company from all liability in respect of such shares so assigned.

8. After the execution of these presents the Manufacturers Company and the Temperance Company shall respectively cease to carry on business further than may be necessary to carry out the terms and effectuate the intent of this agreement.

Witness the corporate seals of the parties hereto and the hands of their proper officers in that behalf the day and year first above written.

No. 97.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Manufacturers and Temperance and General Life Assurance Company.

First reading, March 27, 1901.

(PRIVATE BILL.)

MR. OSLER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 98.] **BILL.** [1901.

An Act incorporating the Kettle River 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, declares and enacts as follows :— Preamble.

1. The Honourable James Robert Stratton, of Peterborough, Christian Kloepfer, of Guelph, Thomas Patrick Coffee, of Toronto, Walter Mills, of Ingersoll, all in the province of Ontario, and Tracy William Holland, of Grand Forks, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Kettle River Valley 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 three million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed [twenty per cent on the shares subscribed, nor shall a greater amount than fifty per cent of the amount subscribed be called up in any one year.] Capital stock.

5. The head office of the Company shall be in the city of Grand Forks, or such other place in Canada as the directors from time to time determine by by-law. Head office.

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

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

2. The majority of the board of directors, including the president, shall at all times be British subjects and resident in Canada. Majority to be British subjects.

Line of railway described.

8. The Company may lay out, construct and operate a railway of a gauge of four feet eight and one-half inches, from a point on the international boundary line at or near Cascade City, in the district of Yale, in the province of British Columbia, thence running in a westerly direction following the course of the Kettle River, to a point on the said international boundary line at or near Carson City, in the said district, with a branch from a point at or near Grand Forks to a point fifty miles up the north fork of the Kettle River, following the valley of the same river, also with a branch from a point at or near Grand Forks, proceeding in a south-westerly direction by way of Greenwood to a point on the international boundary line at or near Midway.

Connection with United States lines.

9. The Company may also form a connection at the international boundary line, at the said points, namely at or near Cascade City and at or near Carson City and Midway, with a proposed railway to Republic in the state of Washington, and generally with the railway system of the United States.

Bond issue.

10. The Company may issue bonds, debentures, or other securities to the extent of thirty-five thousand dollars per mile of the railway and branches, and such bonds, debentures, and other securities may be issued only in proportion to the length of railway constructed or under contrac to be constructed.

Time for construction limited.

11. If the construction of the railway is not commenced, and two and one-half per cent of the amount of the capital stock is not expended thereon, within two years from the passing of this Act, or if the railway is not finished and put in operation within three years from the passing of this Act, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Branch lines. 1888, c. 29.

12. Subject to the provisions contained in sections 121 and 122 of *The Railway Act*, the Company may construct, operate and maintain one or more branch lines from convenient points on its main line to any mine or group of mines adjacent to its main line, provided, however, that any such branch line shall not exceed ten miles in length.

Charges for carriage of ore.

13. The Governor in Council may, whenever he deems it expedient, make or prescribe regulations relating to the carriage of ores by the Company over the railway and [or] relating to the tolls and charges for such carriage, and [or] regulating the maximum or minimum toll, which minimum toll shall be exacted for the carriage of such ores.

Power to annul charter.

14. If the Company shall, at any time, wilfully disregard, evade or violate any of the said regulations the Governor in Council may declare the powers and privileges granted by this Act to be forfeited, and this charter shall thereupon cease and come to an end.

Telegraph and telephone lines.

15. The Company may construct and maintain a telegraph line and telephone lines along the whole length of its railway

and branches, and may establish offices for the transmission of messages for the public and collect tolls for so doing; and for the purpose of erecting and operating such telegraph and telephone lines the Company may enter into a contract with any other company or may lease the Company's lines or any part thereof.

Arrangements with telegraph and telephone companies.

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

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraph or telephones of the Company, until such rates or charges have been approved of by the Governor in Council.

R.S.C., c. 132.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

No. 98.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act incorporating the Kettle River Valley Railway Company.

First reading, March 27, 1901.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

N. 96.] **BILL.** [1901.

An Act to amend the Dominion Elections Act, 1900.

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

1. Section 108 *of The Dominion Elections Act*, 1900, is amended by inserting the following paragraph immediately after paragraph (*i*) :— 1900, c. 12, s. 108 amended.

"(*j.*) Every person who, in order to induce a person to allow himself to be nominated as a candidate, or to refrain from becoming a candidate, or to withdraw if he has became a candidate, directly or indirectly, by himself or any other person on his behalf, gives or lends, or agrees to give or lend, or offers or promises, any money or valuable consideration, or promises to procure or to endeavour to procure any money or valuable consideration, to or for such person or to or for any person on his behalf;" Bribery of candidates.

No. 96.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Dominion Elections Act, 1900.

First reading, March 26, 1900.

MR. NORTHRUP.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 99.] **BILL.** [1901.

An Act respecting *Le Crédit Foncier du Bas Canada.*

WHEREAS *Le Crédit Foncier du Bas 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:— Preamble.

1. Section 2 of chapter 102 of the statutes of 1873 is repealed, and the following is substituted therefor:— 1873, c. 102, new s. 2.

"**2.** The business of the said *Le Crédit Foncier du Bas Canada*, hereinafter called "the Company," shall be managed by a board of nine directors elected at the annual general meeting of the shareholders; but the said number of directors may be reduced to five by a by-law adopted at a special general meeting of the shareholders duly called for that purpose." Number of directors.

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

"**3.** The capital stock of the Company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each; but the directors of the Company may, by a resolution of the shareholders at an annual general meeting, increase the capital stock by the issue of a new series of shares; provided that each new series shall not exceed five hundred thousand dollars; and provided also that no new series of shares shall be issued after the first, unless one-half the full amount of the previous new series shall have been subscribed and paid up; the subscribers to the first capital stock may take, in the new issue of shares, an amount proportionate to the number of their shares in the first capital stock and on the same terms and conditions; but this provision shall not take effect unless and until it has been ratified by a vote of two thirds in number and amount of the shareholders present at a general meeting duly called for such purpose, and unless such provision has been confirmed, in authentic form, by all the creditors of the Company. The provisions of Article 4717 A. of the Revised Statutes of Quebec shall apply to the Company. Capital stock. Increase of capital. R.S.Q., art. 4717 A.

"2. The Company may, by resolution adopted by a vote of two-thirds in number and amount of the shareholders present at a special general meeting, transfer to the promoters of the Company, in consideration of services by them rendered or to be rendered to the Company, a certain number of paid up shares; provided the amount of such paid up shares shall not Issue of paid up shares.

exceed ten per cent of the whole capital stock subscribed and issued. And in such case, as well as in the case of the issue of preferred stock in pursuance of the aforesaid Article 4717 A. of the Revised Statutes of Quebec, notice of the number of the paid up and preference shares so transferred shall be given in *The Canada Gazette.*"

New s. 6.

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

Quorum of directors.

"**6.** A majority of the directors shall form a quorum for the transaction of business. The directors shall elect their president and vice president and shall remain in office until they have been replaced by their successors in the manner hereinafter mentioned, unless they cease to be so by reason of one of the following causes, namely:—death, resignation, possession of less than ten shares, insolvency, bankruptcy, or arrest for crime or misdemeanor.

Officers.

Vacancies.

"2. When a director has absented himself from the meetings of the board of directors for three consecutive months, the majority of a quorum of the other directors may, by resolution, declare his office vacant.

How filled.

"3. Any director may, in writing, resign his office, and he shall be immediately replaced in the manner hereinafter pros vided.

Term of service.

"4. Every vacancy in the board of directors happening in the course of the year, from whatever cause, shall be filled by the unanimous choice of the remaining directors, and the substituted director shall remain in office until replaced at the election of directors by the annual general meeting, but he shall hold office during the whole term for which the person whom he replaces was elected."

New s. 7.

4. Section 7 of the said Act is repealed, and the following is substituted therefor :—

Qualification of directors.

"**7.** No person shall be elected a director who does not hold at least ten shares, on which all calls have been paid in full, and such shares shall not be transferable during his term of office. A majority of the directors shall be British subjects."

New s. 8.

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

Tenure of office.

"**8.** The directors shall be elected for one year, and may be re-elected. The tenure of office of the present directors shall end at the close of the current year."

S. 14 amended.

6. Section 14 of the said Act is amended by adding thereto the following subsection :—

Forfeiture of shares.

"2. The Company may also forfeit the shares of any shareholder in default, in pursuance of a by-law to be passed in that behalf, and sell or dispose of the shares so confiscated, or determine that such shares shall revert to the Company.

S. 26 amended.

7. Section 26 of the said Act is amended by adding thereto the following subsection :—

Chief place of business may be changed.

"2. By a vote of two-thirds in number and value of the shareholders present at a general meeting, duly called, the Company may change its chief place of business to any other place in the province of Quebec."

8. Section 35 of the said Act is amended by adding thereto the following subsection :— S. 35 amended.

"2. The Company may also at any time exact payment of the amount due when from any cause, other than fire, their security has been jeopardized." Security impaired.

9. Section 38 of the said Act is amended by adding thereto the following subsection :— S. 38 amended.

"2. Such mortgage bonds or debentures may be subdivided into bonds or debentures redeemable at par at a fixed date, or by anticipation, with or without a drawing of lots, premium or interest. The Company may effect by anticipation the redemption, in whole or in part, of its bonds or debentures." Redemption of bonds.

10. Section 40 of the said Act is repealed, and the following is substituted therefor :— New s. 40.

"**40.** The Company shall not issue bonds in excess of the amount of the loans it is authorized to make, or of its securities in hand, bills and loans repaid to the Company, of which they shall be deemed to represent the value; and the amount paid in on the subscribed stock shall be kept, at all times, at one-tenth, at least, of the amount of such bonds in circulation." Bond issue limited.

11. Section 45 of the said Act is repealed, and the following is substituted therefor :— New s. 45.

"**45.** The mortgage bonds bearing different terms and conditions may be designated by series, and shall be redeemed, as to capital, interest and apportionment, proportionately to the amount received on the sinking fund and reserve fund applicable to each series. Mortgage bonds.

"2. Whenever mortgage bonds are issued the Company shall define the precise nature thereof, and a special sinking fund shall be created for each such issue, in such manner that the security of the holders of such bonds shall be based on the sinking fund representing the issue for which such holders have subscribed. The sinking fund securing the redemption of the several series and classes of mortgage bonds shall be so constituted that in no case shall the redemption of any such mortgage bonds be postponed for a longer term than fifty years, from the date of issue thereof." Issue of.

12. Section 46 of the said Act is repealed, and the following is substituted therefor :— New s. 46.

"**46.** The Company shall keep, Books to be kept.

"(*a*) a book to be called "The Loans Book," in which shall be entered in order the amounts of loans, the dates of loans and of the repayment and returning thereof, and the names, occupation and residence of the borrowers, and the value, situation and extent of the real estate hypothecated as security and all other particulars deemed necessary; "Loans book."

"(*b*) a book to be called "The Mortgage Bonds Book," in which shall be entered in order the amounts of the mortgage bonds, the date of issue, the date of maturity, the amount of sinking fund and reserve, the nature of the bonds, the drawing of lots, and the incidents relating to such bonds, such as interest, premiums, benefits and allotments, and the obligations attached thereto, and all other brief particulars deemed necessary." "Mortgage bonds book."

New s. 47.

13. Section 47 of the said Act is repealed, and the following is substituted therefor:—

Deposits.

"**47.** The Company may receive deposits bearing or not bearing interest, and may retain from the deposits the amount due by the depositor, and may require the depositor to be a party to and approve of the investment of its funds, and may, with the consent of such depositor, convert his deposit into mortgage bonds which it may issue, bearing interest, premium and other advantages, whether uniform or otherwise, and may invest such deposits on the security of church property or the property of incorporated bodies, or on first mortgages on real estate; but nothing in this section shall be interpreted as conferring upon any such depositor the character of a shareholder."

New s. 51.

14. Section 51 of the said Act is repealed, and the following is substituted therefor:—

Agency association.

"**51.** The Company may act as an agency association for the interest and on behalf of any person or persons, associations, corporations or governments, and may, either in the name of any such principal or of the Company, borrow, lend and advance money upon such securities as they are authorized to deal with and on such terms as to the Company appears satisfactory, and may purchase and acquire any securities on which they are authorized to advance money, and again re-sell the same.

Power as to loans.

"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 any such person, corporation, or government; and the Company shall have the same power 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."

New s. 53.

15. Section 53 of the said Act is repealed, and the following is substituted therefor:—

Proxies.

"**53.** No shareholder may vote as a proxy unless the instrument appointing such proxy has been transmitted to the clerk or cashier of the Company [fifteen] clear days before the holding of the meeting at which such instrument is to be used, and no person shall, at any meeting, represent as proxy more than ten shareholders."

New s. 54.

16. Section 54 of the said Act is repealed, and the following is substituted therefor:—

Voting of joint shareholders.

"**54.** If several persons be jointly entitled to a share, the male person whose name stands first on the register of shareholders as one of the holders of such shares shall, for the purpose of voting at any meeting, be deemed the sole proprietor thereof, and on all occasions the vote of such first named shareholder alone, either in person or by proxy, shall be allowed as the vote in respect of such share, and no proof of the concurrence of the other holders thereof shall be required.

Bond holders etc., may not vote as such.

"2. No person shall be deemed a shareholder by virtue of any debenture, mortgage-bond, bond or money deposit, nor shall any such person be qualified to take part or vote by virtue thereof at any meeting of the Company."

17. Section 55 of the said Act is repealed, and the following is substituted therefor:— New s. 55.

"**55.** The directors may, from time to time, make rules and by-laws for the transaction of the affairs of the Company, which rules and by-laws shall be adopted at a general meeting of shareholders, and they shall have and may exercise the powers, privileges and authorities set forth and vested in them by this Act, and they shall be subject to and be governed by such rules, regulations and provisions as are herein contained with respect thereto, and by the by-laws to be made for the management of the Company, and the directors shall and may lawfully exercise all the powers of the Company except as to such matters as are directed by this Act to be transacted by a general meeting of the Company; they may call any general, special or other meetings of the Company, or of the directors, which they deem necessary; and they shall, upon requisition made in writing by any number of shareholders holding in the aggregate one-fourth part of the shares of the Company, convene an extraordinary general meeting; and such requisition so made by the shareholders shall express the object of the meeting proposed to be called, and shall be left at the Company's office, and if the directors do not convene such general meeting within twenty-one days from the date of the requisition, the requisitionists, or any other shareholders having the required number of shares, may convene a meeting, but the notice thereof shall bear the signatures of all the shareholders parties to the calling of the meeting, and shall set out the prior refusal of the directors. The directors may use and affix, or cause to be used and affixed, the seal of the Company to any document or paper which in their judgment may require it; they may make and enforce the calls upon the shares of the respective shareholders; they may declare the forfeiture of all shares on which such calls are not paid; they may make any payments and advances of money they deem expedient, which they are or shall at any time be authorized to make on the behalf of the Company, and may enter into all contracts for carrying out the objects of the Company, and for all other matters necessary for the transaction of its affairs; they may generally deal with, treat, sell and dispose of the lands, property and effects of the Company for the time being, in such manner as they deem expedient and advantageous for the benefit of the Company, as if the said lands, property and effects were held and owned according to the tenure, and subject to the liabilities, if any, from time to time affecting the same, not by a body corporate, but by any of His Majesty's subjects being of full age; they may do and authorize, assent to or adopt, all acts required for the due exercise of any further powers and authorities which may hereafter at any time be granted to the Company by Parliament, or for the performance and fulfilment of any conditions or provisions from time to time prescribed by Parliament in giving such further powers and authorities, or in altering or repealing the same respectively, or any of them; but all the powers shall be exercised in accordance with and subject to the provisions of this Act in that behalf: Provided always that all real estate acquired and held by the Company by virtue of this Act, except such as is necessary for the use and occupation of the Company, and the By-laws.

purposes thereof, shall be sold and realized at public auction or private sale at any period not later than five years from the acquisition of such real estate by the Company [should the value of such real estate exceed one hundred thousand dollars.]"

New s. 56.

18. Section 56 of the said Act is repealed, and the following is substituted therefor:—

Nomination of officers.

"**56.** The directors shall name the cashier, assistant cashier and all other subordinate officers of the Company, and shall fix their respective salaries and remuneration, and shall take from the cashier security for not less than five thousand dollars, and security for not less than two thousand dollars from any other officer having control of the cash or any moneys of the Company; [unless such officers shall be exempted from furnishing such security, under a by-law duly passed by the Company.]"

New s. 63.

19. Section 63 of the said Act is repealed, and the following is substituted therefor:—

Authenticity of by-laws and seal of Company.

"**63.** The by-laws of the Company shall have affixed thereto the common seal of the Company, and the directors shall furnish to every officer and servant of the Company such information as to the by-laws as is necessary to enable him to discharge the duties of his office; and any copy or extract therefrom certified under the signature of the cashier shall be evidence in all courts of such by-laws or extracts, and that the same were duly made and are in force; and in any action or proceeding it shall not be necessary to give any evidence to prove the seal of the Company, and all documents purporting to be sealed with the seal of the Company, shall be held to have been duly sealed therewith."

New s. 71.

20. Section 71 of the said Act is repealed, and the following is substituted therefor:—

Attestation of statement.

"**71.** Such statement shall be attested on oath before some justice of the peace, by three persons at least, one being the president, vice-president, or other functionary for the time being at the head of the Company, one the cashier or assistant cashier thereof, and the other or others the auditor or auditors of the Company, each of whom shall swear distinctly that he has such quality or office as aforesaid; that he has had the means of verifying, and has verified, the statement aforesaid, and found it to be exact and true in every particular; that the property under mortgage has been set down at its true value to the best of his knowledge and belief; and that the amount of the shares and debentures issued and outstanding, as he verily believes, is correct; and that the amount of the deposits as well as the investment thereof is stated correctly; and such statement shall be published by the Minister of Finance, in such manner as he thinks conducive to the public good; and such statement shall be transmitted by post within eight days after the date to which it is to be made up."

New s. 72.

21. Section 72 of the said Act is repealed, and the following is substituted therefor:

Royal charter of incorporation may be applied for.

"**72.** The directors may, when it has been so determined at a meeting of the shareholders of the Company, apply for and obtain a royal charter of incorporation, or an Act of the Parlia-

ment of the United Kingdom for granting to the Company the powers and authorities in Great Britain or elsewhere necessary for carrying on and accomplishing the undertaking authorized by this Act, or register a memorandum of association, or articles of association, under the provisions of the Act of the Parliament of the United Kingdom, intituled "The Joint Stock Companies Act of 1856," for the purpose of more effectively carrying out the objects of this Act in Canada, or in any part of the United Kingdom."

No. 99.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting *Le Crédit Foncier du Bas Canada.*

First reading, March 27, 1901.

(PRIVATE BILL.)

MR. GEOFFRION.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 100.] **BILL.** [1901

An Act to amend the Bills of Exchange Act, 1890.

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 section 59 of *The Bills of Exchange Act*, 1890, is amended by substituting the word "*sans*" for the words "*et qui n'a reçu*," in the fourth and fifth lines, and the words "*le titre de ce dernier*" for the words "*son titre*," in the fifth line. 1890, c. 33, s. 59 amended.

No. 100.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Bills of Exchange Act, 1890.

First reading, March 27, 1901.

Mr. Demers.
(St. John's and Iberville.)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 101.] **BILL.** [1901.

An Act respecting the Bell Telephone Company of Canada.

WHEREAS the Corporation of the City of Toronto and others have petitioned 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. Section 3 of chapter 67 of the statutes of 1892 is repealed, and the following sections are substituted therefor, and shall be deemed to have formed part of the said Act as from the date of its enactment:— 1892, c. 67, new sections.

"**3.** Upon the application of any person, firm or corporation, the Company shall forthwith furnish telephones for premises fronting upon or adjacent to any highway, street, lane, or other place along, over, under or upon which the Company has constructed or hereafter constructs a main or branch telephone service or system. Obligation to furnish telephones.

"**4.** No higher rates than the rates now in force in the municipalities of Canada respectively shall be chargeable, payable or recoverable in any such municipality; and any sum paid in excess of the said rates may be recovered in an action therefor in any court of competent jurisdiction, or may be deducted from any rates unpaid. Rates.

"**5.** The said rates shall not be increased without the consent of the Governor in Council." Increase of rates

No. 101.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the Bell Telephone Company of Canada.

First reading, March 28, 1900.

MR. CLARKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 102.] **BILL.** [1901.

An Act respecting a lease of certain railways in Manitoba.

WHEREAS the Executive Government of the province of Manitoba 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, enact as follows. Preamble.

1. The indenture, dated the fifteenth day of January, nineteen hundred and one, set out in the schedule to this Act is declared to be a valid and binding contract according to the tenor thereof as to such of the parties thereto as are subject to the legislative authority of Parliament. Schedule confirmed.

SCHEDULE.

This indenture, made the fifteenth day of January, A.D. 1901, between the Northern Pacific and Manitoba Railway Company, the Winnipeg Transfer Railway Company, Limited, the Portage and North-Western Railway Company, and the Waskada and North Eastern Railway Company, together hereinafter called the lessors, of the first part; Her Majesty the Queen, represented herein by the Executive Government of the Province of Manitoba, acting by the Honourable the Minister of Public Works of the Province, hereinafter called the lessee, of the second part, and Northern Pacific Railway Company, hereinafter called the Pacific Company, of the third part.

Whereas, the lessors are respectively the owners of and operate certain railways in Manitoba, hereinafter demised, and such railways connect with each other and are operated as one system, the interests of the lessors being common interests in connection with the said system;

And whereas certain mortgage bonds have been issued by the Northern Pacific and Manitoba Railway Company, one of the lessors, secured by mortgage upon its railways and undertakings, some particulars of which bonds and mortgages are as follows:

Amount of bonds.	Date.	When mature.	Rate of Int'st.
$5,260,000.00	May 1, 1889	50 years	5 per cent.
920,000.00	May 1, 1889	50 years	5 per cent.
750,000.00	Jan. 1, 1890	50 years	5 per cent.
Total...$6,930,000.00			

The trustee of the mortgages securing the same being the Farmers' Loan and Trust Company of the city of New York.

And whereas the lessors have agreed to give and the lessee has agreed to accept a lease and option to acquire the said railways upon the terms and conditions hereinafter set up;

Now therefore this indenture witnesseth :—

1. Whenever in this indenture the lessors are mentioned or referred to, such mention or reference shall extend to and include and be binding upon the successors and assigns of the lessors respectively, and such mention or reference shall be construed distributively and as binding and including each of the lessors, its successors and assigns, with respect to its part of the premises included in the demised premises hereinafter mentioned to the same extent and in the same manner as if this indenture were entered into separately with the respective lessors, except where the context necessarily otherwise requires; the intention of the parties being, for convenience and for the purposes of this indenture, to treat the railways and undertakings of the respective lessors as forming one system for which one rental is to be paid and one price paid under the option hereinafter given, but with regard to the legal positions and ownerships of the lessors respectively, and the legal positions and rights of the lessee hereunder, the terms and provisions of this indenture shall be construed distributively so that full effect may be given and the true intent and meaning of the parties carried out and accomplished.

2. Whenever in this indenture the lessee is mentioned or referred to, including among all other clauses the clause number 13 hereof, such mention or reference shall extend to and include and be binding upon the successors and assigns of the lessee and of any company to which this indenture and the term hereby created and the premises hereby demised, and the rights and powers hereby conferred, may be transferred or assigned.

3. In consideration of the rentals hereby reserved and the covenants of the lessee hereinafter contained, the lessors do hereby demise and lease to the lessee the several lines of railway and branches belonging to or controlled by the lessors and situate in the province of Manitoba, together with all rights of way, stations, station grounds, buildings, freight houses, warehouses, docks, wharves, ships, elevators, engine houses, water tanks, turn tables, shops, telegraph and telephone lines, sidings, structures, erections, improvements, engines, cars, rolling stock, equipment of all kinds, plant, machinery, tools and implements, instruments, furniture, safes, books, forms, stationery and real and personal property of every kind now owned or controlled by the lessors, or by any company or trustee for them, and used or for use upon or in connection with, the said railways, etc., or any of them, together with all appurtenances to the said railways, etc., or any of them belonging or appertaining, all of which are hereinafter for convenience called or referred to as the demised premises; to have and to hold the demised premises unto the lessee for and during and until the full end and term of nine hundred and ninety-nine years, computed from the day when possession is given as hereinafter provided for, the lessee yielding and paying to the lessors in the manner and at the time and place

hereinafter mentioned, the following rentals, namely, for the first ten years of the said term the rental shall be the sum of two hundred and ten thousand ($210,000) dollars per year; for the second ten years of said term the rental shall be the sum of two hundred and twenty-five thousand ($225,000) dollars per year; for the third ten years of the said term the rental shall be the sum of two hundred and seventy-five ($275,000) dollars per year, and for the balance of the said term the rental shall be the sum of three hundred thousand ($300,000) dollars per year.

4. The said rentals shall be paid quarterly on the first days of April, July, October and January to the Pacific Company at some chartered bank or other place in the city of Winnipeg, to be designated from time to time by the Pacific Company, the Pacific Company being hereby appointed by the lessors to receive the same, and to distribute and pay over the same from time to time as the lessors may direct and appoint. But as between the lessors and the lessee payment to the Pacific Company shall be a discharge to the lessee, who shall not be called upon to see the distribution or other application of the said rentals The Pacific Company shall in its own name, but on behalf of the lessors respectively, have the right to take all such proceedings and do all such acts as may be necessary in order to collect and enforce payment of the said rentals, and for this purpose the lessee covenants with the Pacific Company to pay the said rental to it in the manner and at the times and places above mentioned.

5. Possession of the demised premises shall be given to the lessee on such day as the lessee may call for the same, not later than the first day of April, 1901, and from and after such possession the lessee shall be entitled to the rent issues and profits of the demised premises and of the operation thereof, and shall bear and be charged with the operating expenses and other outgoings in connection therewith, and shall indemnify the lessors against any claim or liability arising from the operation of the demised premises.

6. The intention of the parties is that no interruption may occur in the continuous operation of the demised premises, and that no inconvenience may be suffered by the public by reason of the change of possession, and in order to carry out this intention the lessors will, so far as they are able, cause such of their officers, servants and employees as are concerned in the operation of the demised premises, whom the lessee may ask for, to continue in their various offices, situations and employments under the lessee; and the lessee will receive for and account to the lessors for any outstanding current accounts up to the date of coming into possession payable to the lessors by consignees, other than railway companies, or otherwise in connection with the operation of the demised premises prior to the date of coming into possession, as aforesaid. Provided always that the lessee shall not be responsible for the collection of any such moneys, but only for those paid over to the lessee; provided also that any of the said officers, servants or employees which the lessee may not ask for as above mentioned shall not be taken over.

7. The lessors covenant with the lessee that at the time possession is given as aforesaid there will not be any time

contracts for carriage of freight or express in existence, and there shall not be in existence any contracts or other agreements concerning traffic with any person, railway, express or telegraph company, except a contract with the Great Northwestern Telegraph Company, dated eighteenth February, A.D. 1889; any such contracts or arrangements which may now exist are to be terminated on or before the date above mentioned for giving possession, except said contract with the said telegraph company, the property being leased subject to said contract.

8. During the term hereby demised the lessee shall have the right to exercise and enjoy all the franchises and powers of the lessors in respect to the demised premises and the operation thereof, and shall also be entitled to exercise and enjoy the franchise and powers of the lessors in respect to the acquisition of increased areaas of lands for station grounds, rights of way, protection against snow, siding and double tracking and other purposes, and the lessee is hereby authorized by the lessors to take all legal and other proceedings that may be necessary in the exercise of the said franchises and powers, and for that purpose, in the lessee's option, to use the lessee's name or the name of the lessors and the names of the officers of the lessors, which officers are hereby authorized and required upon the demand of the lessee, to append their signatures and to affix the seals of the lessors to any document or instrument that may be necessary or useful in the exercise and use of the said franchises and powers.

9. The lessee shall also have the right to make such improvements upon, alterations and changes in and additions to the demised premises, and to build such buildings, erections and structures therein and thereon as the lessee may deem proper; and also to make with any corporation or person traffic, operating and running agreements for the interchange of cars and traffic and the running of engines and cars upon and over the demised premises, the intention being that the lessee shall during the said term, with respect to the use to be made of the demised premises, have all the rights of the lessors.

10. The lessors covenant with the lessee that at the request of lessee the lessors will affix the names and seals of the lessors to instruments required by the lessee for purposes connected with the demised premises, and will do all acts and things as and when necessary for the convenient and efficient operation of the demised premises, and for carrying out and giving effect to the terms of this indenture, and that the lessee shall have the right to make and enforce either in the names of the lessors or of the lessee such lawful rules, regulations and by-laws concerning the operations of the demised premises as shall be required for the convenient and efficient operation thereof, and for the preservation of order thereon as the lessors are under their charters or other laws applicable authorized to make; subject always to the provisions of The General Railway Acts or other laws applicable thereto; and the lessee may, but at the lessee's expense and costs, use the lessors' name in any suit or proceeding in connection with the demised premises.

11. During the term hereby demised the lessee will keep the demised premises in substantially as good repair and con-

dition as they are at present; and the lessee covenants with the lessors that the lessors will not during the said term be called upon to pay any rates or taxes upon or in respect to the demised premises, or charters or franchises of the lessors, and that any rates or taxes lawfully imposed thereon or with respect thereto during the demised term, shall be paid by the company or person operating the demised premises.

12. The lessee will at the expiration or other determination of the demised term yield up the demised premises to the lessors in as good general plight or condition as the same were in at the commencement of the said term; provided always that with respect to rolling stock, equipment and personal property the lessee may either yield up the same or other rolling stock, equipment and personal property of equal value.

13. The parties hereto agree that the value of the demised premises and of all the franchises, rights and powers of the lessors free from encumbrances is the sum of seven million dollars ($7,000.000) and the lessors and the Pacific Company as owner of the bonds in the above recital mentioned, and of all the shares in the capital stock of the lessors hereby respectively consent to the passing of such legislation as may be required in order to enable the lessee at the lessee's option to acquire absolutely the demised premises and the said franchises, rights and powers, free from encumbrances, for the sum of seven million dollars ($7,000,000) at any time during the term hereby demised.

14. The Pacific Company covenants with the lessee that no default will occur on behalf of the lessors in the payment of the interest upon any of the bonds made by the lessors and secured by mortgage upon the railways and undertakings of the lessors as above recited, and that there are no bonds charged upon the said railways and undertakings other than those set out in the said recital. The Pacific Company further covenants with the lessee that upon the maturity of said bonds, in case the lessee has not then exercised the option to acquire the demised premises which may be given by legislation as above provided for, the Pacific Company will, so far as it is able and to the full extent of its interests in the said bonds and in the capital stocks of the said lessors, consent to the time for the payment of the principal of said bonds being extended and will use its best endeavours to procure the same to be extended so long as the lessee has not exercised such option.

15. The lessors and the Pacific Company covenant that there are no liens on encumbrances against the demised premises except those above recited, and as to said recited liens and encumbrances the lessors and the Pacific Company will warrant and defend the title and possession of the lessee. The Pacific Company and the lessors also covenant that they have not done, and will not do or suffer any act or thing which will disturb or impair said title or possession.

16. In case the lessee makes default in payment of the rental hereby reserved on any of the days when the same is payable as above provided, or in case default be made in payment of any rate or taxes lawfully imposed upon or in respect of the demised premises or the charters or franchises of the lessors as provided in clause 11 hereof, and such default in

either case continues for ninety days, the lessors or the Pacific Company may give the lessee thirty days' notice in writing to put an end to such default, and if such default continues during said thirty days the lessors or the Pacific Company may by notice in writing to the lessee terminate this lease, and the lessors may thereupon re-enter into and re-possess themselves of the demised premises, but the remedy in this paragraph shall not be exclusive and shall be in addition to any other remedy which the law may give.

17. The parties hereto will use their best endeavours to procure such legislation from the legislature of Manitoba and the Parliament of Canada as may be necessary to confirm this indenture and to enable and require the parties to carry out the same in order that the true intent and meaning of the parties may be properly and fully accomplished.

18. Any notice which the lessee may desire to give to the lessors may be validly given by serving the same on the Pacific Company, who for this purpose are appointed attorneys for the lessors to accept service thereof.

In testimony whereof this indenture has been duly executed by and on behalf of the parties hereto.

NORTHERN PACIFIC AND MANITOBA RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

WINNIPEG TRANSFER RAILWAY COMPANY, LIMITED,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

THE PORTAGE AND NORTH-WESTERN RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

THE WASKADA AND NORTH-EASTERN RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Secretary.*

HER MAJESTY THE QUEEN, represented by the Executive Government of the Province of Manitoba, acting by

ROBERT ROGERS,
Minister of Public Works of said Province.

NORTHERN PACIFIC RAILWAY COMPANY,
[SEAL] By C. S. MELLEN, *President.*
Attest: R. H. RELF, *Assistant Secretary.*

In presence of
C. W. BINN,
As to execution by all parties.

No. 102.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting a lease of certain railways in Manitoba.

First reading March 29, 1901.

(PRIVATE BILL.)

MR. MCISAAC.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 103.] **BILL.** [1901.

An Act relating to an agreement between the Government of Manitoba and the Canadian Northern Railway Company respecting certain railways.

WHEREAS the Executive Government of the province of Manitoba 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 indenture dated the eleventh day of February, nineteen hundred and one, set out in the schedule to this Act, is declared to be valid and binding according to the tenor thereof as to the Canadian Northern Railway Company, hereinafter called "the Company," a party to the said indenture. Schedule confirmed.

2. The Company may, in the mortgage securing the bonds mentioned in paragraph five of the said indenture, agree to such terms to amplify and carry out the provisions of the said indenture and such other terms as the Lieutenant Governor in Council of the province of Manitoba may deem necessary in the public interests, though they may be at variance with any of the provisions of the said indenture. Agreement as to terms.

3. The Company, its successors and assigns, are hereby granted the option, at any time during the term demised by the said indenture, to acquire and are hereby authorized and empowered to acquire absolutely the demised premises included in the indenture of lease dated the fifteenth day of January, nineteen hundred and one, recited in the indenture in the schedule to this Act, and all the franchises, rights and powers of the lessors in the said indenture of lease mentioned, free from encumbrances, for the sum of seven million dollars, and the said lessors, their successors and assigns, are hereby respectively required to and shall grant, assign and transfer to the Company, its successors or assigns, the said demised premises, franchises, rights and powers, free from encumbrances, on the said option being exercised and on payment of the said sum of seven million dollars in the manner hereinafter mentioned. Option of acquiring certain premises.

4. The said option shall be exercised by the Company, its successors or assigns, giving to the Northern Pacific Railway Company or its successors written notice in that behalf. The said sum of seven million dollars shall be paid into the Court of King's Bench of Manitoba, to be paid over and distributed as hereinafter provided for, and it shall stand in lieu of the Exercise of option.

said demised premises, franchises, rights and powers, which shall thereupon become vested absolutely in the Company, its successors and assigns, free from encumbrances, and all necessary conveyances and transfers thereof shall be executed and delivered by the said lessors respectively.

Distribution of moneys.

5. The said sum shall be paid over and distributed to and among the said lessors and such persons and corporations interested in the said demised premises as mortgagees, bondholders or otherwise, and in such priorities as the said court may order, and for the purpose of ascertaining those interested and the amount of their interests and of ordering the proper distribution of the said money and of carrying out and giving full effect to the provisions of sections 3, 4 and 5 of this Act the said court is hereby vested with full power and jurisdiction.

SCHEDULE.

This indenture, made the eleventh day of February, A.D. 1901, between His Majesty the King, represented herein by the Executive Government of the Province of Manitoba, acting by the Honourable the Railway Commissioner, and hereinafter called "the Government," of the first part, and the Canadian Northern Railway Company, hereinafter called "the Company," of the second part.

Whereas, by indenture dated the 15th day of January, 1901, made between The Northern Pacific and Manitoba Railway Company, The Winnipeg Transfer Railway Company, Limited, The Portage and North-Western Railway Company, and The Waskada and North-Eastern Railway Company, together therein called the lessors, of the first part, the Government, of the second part, and the Northern Pacific Railway Company, of the third part, the lessors demised and leased to the Government and its assigns the lessors' system of railways in Manitoba, together with the rolling stock, equipment, appurtenances and real and personal property, therein called the "demised premises," for the term of 999 years, and the lessors and the Northern Pacific Railway Company consented to the passing of such legislation as might be required in order to enable the Government and its assigns at their option to acquire absolutely the demised premises and all the franchises, rights and powers of the lessors, free from encumbrances, for the sum of $7,000,000, at any time during the term thereby demised, the said indenture being hereinafter referred to as the "said lease and option."

Now this indenture witnesseth that for the respective considerations herein mentioned, the parties covenant and agree together as follows:—

1. Wherever in this indenture the Government or the Company is mentioned or referred to, such mention or reference shall extend to, include and be binding upon the successors and assigns of the Government or the Company as the case may be.

2. The Government does hereby assign, transfer and set over unto the Company the said lease and option and the

term thereby created and the premises thereby demised, and the rights and powers thereby conferred, and all benefits and advantages of said lease and option and the covenants and agreements therein contained.

3. The Company covenants with the Government to pay the rentals under said lease and option as and when the same become due, and to make all other payments which the Government therein covenants shall be paid, and to abide by, carry out and perform all the covenants and agreements, terms and conditions of the said lease and option made or agreed to therein by the Government, and to indemnify and save harmless the Government against all loss, costs and expenses in connection therewith.

4. The Government and the Company shall at the next session of the Legislature of Manitoba and of the Parliament of Canada use their best endeavours to procure the necessary legislation to enable the Company at its option to acquire absolutely the demised premises included in said lease and option, and all the franchises, rights and powers of the lessors therein named, free from encumbrances, for the sum of $7,000,000, at any time during the term thereby demised. The Government and the Company will also use their best endeavours to procure from said legislature and Parliament such legislation as may be necessary to confirm the said lease and option and this indenture, and to enable and require the parties to carry out the same in order that their true intent and meaning may be properly and fully accomplished.

5. The Company is to prepare an issue of bonds at the rate of $20,000 per mile of its line of railway from Port Arthur to Rainy River, not exceeding 290 miles, such bonds to be payable on the 30th June, A.D. 1930, with interest half-yearly at the rate of four per cent. per annum, and to be secured by mortgage to National Trust Company, Limited, as trustees, covering the said line of railway from Port Arthur to the Rainy River, and all leases and agreements with the Minnesota and Manitoba Railway Company respecting traffic or running powers or otherwise, and all leases and agreements with the Minnesota and Ontario Bridge Company with reference to the proposed bridge across the Rainy River, also the said lease and option, subject to the right of the Company to exercise such option and create a first mortgage on the premises demised by said lease and option securing an issue of bonds for the purpose of raising $7,000,000 with which to purchase said demised premises, also covering as a second charge thereon the lines in Manitoba already covered by the mortgages securing the bonds heretofore guaranteed by the Government after a first charge of $10,000 per mile. The said mortgage securing said issue is to be in a form satisfactory to the Lieutenant Governor in Council and to be in similar terms so far as applicable to the mortgage set out in schedule B to chapter 57 of the statutes of Canada for the year 1899, together with such changes and additional clauses as may be necessitated by the terms of this agreement.

6. The said bonds are to be made ready for issue and delivery and the Government is to guarantee payment thereof. The said bonds with the said guarantee thereon duly signed on behalf of the Government are to be deposited with the

trustees of the mortgage securing the same, and when, but not before, the Company's line from Port Arthur to the Rainy River has been constructed and opened for public traffic and a through train from Winnipeg has been run over the said line to Port Arthur, the said guaranteed bonds shall be certified and delivered by the trustees to the Company or its order. Any overdue coupons on the bonds so delivered shall, before delivery, be cut off and cancelled. Provided always that no bonds shall at any time be certified or delivered by the trustees as in this paragraph provided unless and until present outstanding bonds to an equal amount are from time to time delivered to the trustees in exchange therefor, so that there shall never be outstanding at one time a greater amount of bonds covering said line than at the rate of $20,000 per mile of said line between Port Arthur and Rainy River not exceeding 290 miles. Provided also that until the whole of the present outstanding bonds have been so received in exchange by the trustees, the rights and priorities of the present outstanding bonds actually received in exchange shall for the protection of the Government be maintained and preserved, and said bonds shall in the hands of the trustees enure to the benefit of the Government in case the bonds given in exchange therefor are retired by the Government under said guarantee. Provided further that when all the said present outstanding bonds have been so received in exchange by the trustees the same shall be cancelled.

7. The Company covenants that its line from Port Arthur to the Rainy River will be constructed and opened for public traffic and that a through train from Winnipeg will be run over said line to Port Arthur on or before the first day of October, 1901. Provided that if by reason of the weather, strikes, difficulties in procuring men or materials, or for other reasons beyond the Company's control, the construction of the said line is delayed, the Railway Commissioner of the Province of Manitoba may extend the time for said construction and running of said train.

8. In consideration of the guarantee of the said bonds and the assignment of said lease and option, the Company hereby agrees that up to the 30th day of June, A.D. 1930, the Lieutenant Governor in Council shall from time to time fix the rates to be charged or demanded by the Company for the carriage of all freight from all points on the Company's lines in Manitoba to Port Arthur, and from Port Arthur to all points on the Company's lines in Manitoba, and from all points on the Company's lines in Manitoba to all other points on said lines in Manitoba. Provided always that before any rates are so fixed, the Company shall be heard and their interests taken into consideration. The Company agrees that it will not at any time after the said rates have been so fixed charge or demand for the carriage of freight between the points aforesaid greater rates than those so fixed by the Lieutenant Governor in Council.

9. The Company hereby consents to the passing of such legislation by the legislature of Manitoba as may be necessary to confer upon the Court of King's Bench for Manitoba full jurisdiction at the instance of the Attorney General of the province on behalf of the Government, to decree specific per-

formance and observance by the Company of each and every of the terms of this agreement and of the said lease and option, and the Company hereby consents to and submits to the jurisdiction of the said court in that behalf.

10. Commencing when this agreement takes effect, the Company shall reduce its passenger rates in Manitoba to not exceeding three cents per passenger per mile.

11. The receipts and income of the Company from operating the lines of railway included in the mortgage securing said guaranteed bonds, and from all its lines in Manitoba, including the lines demised by said lease and option, shall be applied in the first place in payment of the working expenditure of said lines of railway, and in the second place in payment of the rentals under said lease and option and interest on bonds on said lines heretofore or hereafter guaranteed by the Government or issued with the consent of the Government. And in consideration of the said power given to the Lieutenant Governor in Council respecting the fixing of rates, the Government agrees that if the said receipts and income after payment of said working expenditure are not sufficient to pay said rentals and interest, the deficiency (if any) shall be borne by the Government and the Company shall be relieved therefrom. Provided always that the said deficiency, if any, shall be ascertained at the end of each period of two years, commencing from the first day of October, 1901, and any surplus in either year of any such period shall as far as necessary be applied in reduction of any deficiency in the other year of such period ; but each period of two years shall for the purpose of this clause be treated apart from each other period. For the purposes of this clause the term " working expenditure " shall not include the salary or remuneration of any officer, employee, or other person whose time is not wholly employed *bona fide* in connection with the said lines of railway in this clause mentioned; but as to officers and employees and other persons whose services are necessary or desirable in connection with the said lines and whose whole time is not taken up in connection therewith there shall be included reasonable remuneration for the time actually expended and services actually rendered by them in connection with said lines; and the said term shall not include any expenses, payments or outgoings not reasonably necessary for the efficient management, maintenance, operation and repair of the said lines, nor shall the said term include the cost of double tracking the said lines, but siding reasonably required for the traffic and operation of the lines shall not be deemed double tracking. Should any dispute arise between the Government and the Company as to working expenditure under this clause, the same shall be referred to the Chief Justice of the Court of King's Bench for Manitoba for the time being, who shall have full power to decide the same, and in so deciding he may take evidence or consult with experts, and use his own judgment in coming to a decision, and his decision shall be final and binding and without appeal. For the purposes of this clause the Minnesota and Manitoba Railway shall be deemed to be a line of railway included in the said mortgage securing said guaranteed bonds.

12. The provisions contained in existing legislation and agreements relating to the Northern Pacific and Manitoba Railway Company relating to running powers by other companies over the lines included in said lease and option are not to be abrogated by anything herein contained or by the terms or effect of the said lease and option, but all such powers are to be preserved and may be exercised to the same extent with respect to the lines demised by said lease and option as if the said lease and option and this agreement had not been made, and as if the said lines were continued to be operated by the Northern Pacific and Manitoba Railway Company. The Company may allow any other company except the Canadian Pacific Railway Company, and any other company or companies running in the interests of the Canadian Pacific Railway Company, running powers over any of the said lines at reasonable rates and tolls and upon such conditions as may be agreed upon.

13. The Company shall provide and maintain such equipment for its lines of railway as will reasonably provide for the requirements of the freight and passenger traffic of said lines, and should any dispute arise under this clause the same shall be decided by the Railway Committee of the Privy Council of Canada.

14. The Company covenants with the Government that its accounts shall be audited from time to time, and not less than once in each year, by an auditor appointed by the Company with the approval of the Government.

15. The Company will arrange for connection between its railway system from a point east of Sprague Station and some line of railway now or hereafter connected with Duluth on Lake Superior.

16. Notwithstanding its present exemption from taxation the Company convenants to pay to the Government in each year after the year 1905, and up to the maturity of the bonds hereby agreed to be guaranteed, a sum to be fixed from time to time by the Lieutenant Governor in Council not exceeding two per cent of the gross earnings of the Company from its lines in Manitoba covered by the mortgages securing bonds heretofore or hereafter guaranteed by the Government, and from the lines included in said lease and option, and in consideration of the said payments the Company and the lessors in said lease and option, their properties, incomes and franchises shall be exempt from such taxation as is provided for by section 18 of chapter 57 of the statutes of Manitoba of 1900, during the currency of the said bonds hereby agreed to be guaranteed. Provided, however, that any lands now exempt shall continue to be exempt from such taxation during the currency of said bonds.

17. The Company shall continue and maintain as its workshops at Winnipeg the workshops of the Northern Pacific and Manitoba Railway Company forming part of the premises demised by said lease and option; and the general offices of said Company with respect to the operation of the lines covered by said mortgage securing said guaranteed bonds shall be at the city of Winnipeg.

18. The Company covenants that all controllable freight originating on or delivered to the lines covered by said mort-

gage securing said guaranteed bonds shall be carried over said lines as great a distance as possible on its way to its destination. Provided always that the Railway Commissioner of the Province of Manitoba may from time to time consent to freight being diverted.

19. The Company shall not nor shall any of the branch lines thereof (including the lines demised by the said lease and option) or any lines of railway leased by the Company or under its control, be at any time amalgamated with the Canadian Pacific Railway Company or any of its branch lines or with any branch lines leased by the Canadian Pacific Company or under its control. Any such attempted amalgamation, with any arrangement for making a common fund or pooling the earnings or receipts of the said two companies' railways, or any of their branch lines, or any railway lines or parts thereof leased by the said companies or either of them, shall be absolutely void. This provision, however, shall not extend to traffic or running arrangements made with the assent of the Governor in Council.

20. The Company hereby grants to the Government the option to be exercised during the year A.D. 1929, of purchasing the then entire undertaking of the Company, including all rights, franchises, powers, real and personal property connected therewith or appurtenant thereto for the then fair value thereof as a going concern. This option is not assignable by the Government.

In witness whereof the parties hereto have duly executed these presents this eleventh day of February, 1901.

[SEAL] R. P. ROBLIN,
Railway Commissioner for Government.

[SEAL C.N.R.Co.] FREDERIC NICHOLLS,
President.

J. M. SMITH,
Secretary.

Signed, sealed and delivered in the presence of Z. A. LASH.

No. 103.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act relating to an agreement between the Government of Manitoba and the Canadian Northern Railway Company respecting certain railways.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. MCISAAC.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 104.] **BILL.** [1901.

An Act to incorporate the Nova Scotia Central Railway Company.

Preamble.

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

Incorporation.

1. James White, of the town of Orillia, in the county of Simcoe, in the province of Ontario; Mathew Henry Fitzpatrick, of the town of New Glasgow, in the county of Pictou, in the province of Nova Scotia; John James McNeil, and Thomas Patrick Coffee, of the city of Toronto, in the province of Ontario; and Hector Howard Mackay and Thomas Grant Mackay, of the town of New Glasgow in the province of Nova Scotia; together with such persons as become shareholders in the company, are incorporated under the name of "The Nova Scotia Central Railway Company," hereinafter called "the Company."

Corporate name.

Declaratory.

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

Provisional directors.

3. The persons named in section 1 of this Act (with the exception of the said John James McNeil) are constituted provisional directors of the Company.

Capital stock.

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

Head office.

5. The head office of the Company shall be in the town of New Glasgow, in the county of Pictou, in the province of Nova Scotia, or at such other place in Canada as is fixed by the Company by by-law.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the first Monday in June in each year.

Election of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in or near the town of New Glasgow, in the county of Pictou, in the province of Nova Scotia, to a point on the southern shore of the said province, at or near the entrance to Country Harbour, running through the counties of Pictou and Guysborough, and may construct branch lines from or near the head of Country Harbour to some point at Chedabucto Bay at or near the town of Guysboro in the said province, and from the said town of Guysboro to some point on the Strait of Canso in the said county of Guysborough, and any further or other branch lines.

Bond issue.

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

Powers of Company.

10. The Company may, for the purposes of its business,

Construction of works.

(*a*) construct or aid in, acquire, operate and contribute towards the construction or maintenance and improvement of roads, ways, docks, dockyards, slips, piers, wharfs, elevators, warehouses and other buildings necessary or convenient for its purposes;

Transportation.

Elevators.

(*b*) construct, charter, navigate and dispose of steam and other vessels and ferries and carry on generally the business of transportation in connection with its railway and vessels, and acquire and work elevators;

Electric and other power.

(*c*) acquire lands and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric or other power or energy, and build and maintain power houses and works and stations for the development of electricity or other power and sell and dispose thereof;

Telegraphs and telephones.

(*d*) construct and operate telegraph and telephone lines in connection with its railway and its branches;

Expropriation.

Bridges.

(*e*) acquire or expropriate lands for its purposes and erect bridges over any rivers or streams necessary for its undertaking;

Traffic arrangements.

(*f*) connect with any other railway and acquire running powers or privileges over any other lines of railway, and grant the like or kindred powers or privileges to any other railway to run over the lines of the Company;

Mining.

(*g*) acquire, operate and dispose of mines and mining rights and privileges and establish and operate smelting and other works in connection therewith;

Water and other power.

(*h*) acquire and utilize water power and also power to carry on the business of lumbering and milling and quarrying in all their branches.

Aid to Company.

11. The Company may receive by grant from any government or person as aid in the construction of the railway and branches, vessels and works authorized by this Act, any Crown lands, property, sums of money, debentures or subsidies, either as gifts by way of bonus or guarantee or in payment of or as subventions for services.

Agreement with another company.

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

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each of the counties through which the railway of the Company runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in sub-section 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette*, and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 104.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Nova Scotia Central Railway Company.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. FRASER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 104.] **BILL.** [1901.

An Act to incorporate the Nova Scotia Central Railway Company.

(Reprinted as proposed to be amended in the Railway Committee.)

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, declares and enacts as follows:— Preamble.

1. In this Act the expression "the Company" means the body corporate and politic created by an Act of the legislature of the province of Nova Scotia, passed in the session of 1901, under the name of "The Nova Scotia Eastern Railway Company, Limited;" and the railway works which the Company by its said Act of incorporation has been empowered to undertake and operate are declared to be for the general advantage of Canada. Declaratory. N.S., 1901, c.

2. *The Railway Act* shall hereafter apply to the said works to the exclusion of any provisions of the said Act of incorporation inconsistent therewith; but nothing herein shall affect or invalidate any action heretofore taken by the Company pursuant to powers in such Act of incorporation contained. 1888, c. 29, to apply.

3. The head office of the Company shall be at New Glasgow, in the province of Nova Scotia, but the Company may, from time to time, by by-law change it to any other place in Canada. Head office.

No. 104.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Nova Scotia Central Railway Company.

(Reprinted as proposed to be amended in the Railway Committee.)

(PRIVATE BILL.)

MR. FRASER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 105.] **BILL.** [1901.

An Act to incorporate the Kamloops and Atlin Railway Company.

Preamble.

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

Incorporation.

1. Henry Purdon Bell, Day Hort Macdowell and Theodore Lubbe, of the city of Victoria, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Kamloops and Atlin Railway Company," hereinafter called "the Company."

Corporate name.

Declaratory.

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

Provisional directors.

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

Capital stock.

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

Head office.

5. The head office of the Company shall be in the city of Victoria in the province of British Columbia, or at such other place in the said province as the directors from time to time determine by by-law.

First general meeting.

6. As soon as one hundred thousand dollars of the capital stock has been subscribed and allotted, and ten per cent of the amount has been paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at some time and place to be named by the provisional directors, at which meeting shareholders, present or represented by proxy, who have paid not less than ten per cent of the amount of shares subscribed for by them, shall elect a board of five directors.

Proxies.

2. Only shareholders eligible to vote may act as proxies at any meeting of the Company.

Notice of meeting.

3. At least thirty days' notice of the first meeting of the shareholders shall be given by advertisement published in the

British Columbia Gazette, and for at least thirty days in one newspaper published in the place where the head office is situate, and by a twenty days' notice in writing to each shareholder delivered to him personally, or properly directed to him at his last known place of abode, in which notice shall be specified the place, the day and the hour of meeting; all such notices shall be published at least weekly, and the production of a copy of such Gazette and newspaper containing such notice shall be sufficient evidence of such notice.

Annual meeting.

7. The annual general meeting of the shareholders shall be held on the third Wednesday in October in each year, or on such other day in each year as the directors from time to time determine by by-law.

Election of directors.

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

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 some point on the Canadian Pacific Railway at or between Ashcroft and Kamloops Lake; thence by the most direct and feasible route to the plateau of the Bonaparte River; thence to a point on the Cariboo wagon road near the 100-Mile House; thence to some point near the head waters of the Beaver River, thence following generally the direction of the Beaver River to the confluence of the Quesnelle with the Fraser River; and may also build a branch from the above described line to some point in the vicinity of Williams or Antler Creek in the Cariboo district.

Branch lines.

1888, c. 29.

9. Subject to the provisions contained in sections 121 and 122 of *The Railway Act*, the Company may construct, operate and maintain one or more branches from convenient points on its main line to any mine, or group of mines adjacent to its main line; provided, however, that any such branch shall not exceed twenty miles in length.

Telegraph and telephone lines.

10. The Company may construct and operate a telegraph line and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public, and collect tolls therefor, and for the purpose of erecting and operating such telegraph and telephone lines the Company may enter into a contract with any other company, or may lease the Company's lines or any portion thereof.

Arrangements with telegraph and telephone companies.

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

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone or for leasing or using the telegraphs or telephones

of the Company until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

4. *The Electric Telegraph Companies Act*, shall apply to the telegraphic business of the Company. R. S. C., c. 132.

11. The Company may enter into an agreement with [any other railway, steamboat, or transportation company] for conveying or leasing to such company the railway of the Company in whole or in part, or any rights or powers acquired under this Act, as also the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for amalgamation with such company, [or for forming traffic or other arrangements with any railway or steamboat company whose undertaking joins the railway or branches, or which may be operated in connection with the undertaking of the Company, the whole] upon such terms and conditions as are agreed upon, and subject to such restrictions as to the directors seem fit. Provided that each such agreement has first been sanctioned by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council. Agreements with another company. Approval of shareholders and Governor in Council.

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

13. This Act may be cited as *The Kamloops and Atlin Railway Act*, 1901. Short title.

No. 105.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to incorporate the Kamloops and Atlin Railway Company.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. PRIOR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 106.] **BILL.** [1901.

An Act respecting the South Shore Railway Company.

WHEREAS the South Shore 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, declares and enacts as follows:— Preamble. 1896 (2nd Sess.) c. 10.

1. The South Shore Railway Company, hereinafter called "the Company," may complete the railway which, by its Act of incorporation, it was authorized to construct, or any portion thereof, within seven years from the passing of this Act, provided that as to so much thereof as is not completed within that period the powers of the Company shall cease and determine. Time for construction extended.

2. The sales, conveyance and transfer in this section described are ratified and confirmed, and declared to be valid and binding on the parties thereto, namely:— Sales and conveyances confirmed.

(*a*) the sale by the Montreal and Atlantic Railway Company to Hyacinthe Beauchemin of the lands used for the right of way of the Montreal and Atlantic Railway, forming two lines of railway one of which extends from the village of St. Michael de Yamaska to the city of Sorel, and the other from the parish of Ste. Anne to the east side of the St. Ours road in the city of Sorel, together with a branch line and certain lands and buildings, the whole as fully set out in a deed of sale made at Montreal on the sixth day of September, one thousand eight hundred and ninty-nine, bearing the number twenty-eight thousand one hundred and seventy-two, before Ernest H. Stuart, Notary Public, and registered in the registry division of the county of Richelieu on the twenty-third day of December, one thousand eight hundred and ninety-nine; Montreal & Atlantic Ry. Co., to H. Beauchemin.

(*b*) the conveyance of a portion of the said property from the said Beauchem into the South Shore Railway Company by deed made at Sorel on the twenty-fifth day of August, ninteen hundred, bearing the number three thousand six hundred and twenty-five, before Alfred Guevremont, Notary Public, and more particularly set out in the said deed; Beauchemin to South Shore Ry. Co.

(*c*) the sale by Pierre Guevrement, sheriff of the district of of Richelieu, to Raymond Préfontaine of the Great Eastern Railway running easterly from St. Michael de Yamaska to St. Gregoire station on the Grand Trunk Railway a distance of twenty-eight miles, together with certain buildings and property, the whole as fully set out in a deed of sale dated the second day of September, one thousand eight hundred and Sheriff to R. Préfontaine.

ninety-nine, and duly registered on the fifth day of September, one thousand eight hundred and ninety-nine ;

Prefontaine to South Shore Ry. Co.

(*d*) the sale and transfer from the said Préfontaine to the South Shore Railway Company of the Great Eastern Railway, buildings and property above mentioned, the whole as fully set out in a deed of sale and transfer dated the sixth day of December, one thousand eight hundred and ninety-nine, made before C. De Salaberry, Notary Public, and registered in the registry office of the county of Yamaska on the twenty-sixth day of December, one thousand eight hundred and ninty-nine, and in the registry office of the county of Nicolet on the sixth day of February, nineteen hundred, a number thirty-nine thousand nine hundred and sixty-three.

Declaratory.

3. It is declared that the property acquired by the Company by virtue of the deeds herein before mentioned is vested in the Company and forms part of its railway.

Bond issue.

4. The Company may, subject to the provisions of its Act of incorporation, issue bonds, debentures or other securities secured upon the lines of railway acquired by virtue of the deeds mentioned in paragraphs (c) and (d) of section 2, and in section 3 of this Act, or acquired by virtue of the powers granted to the Company by chapter 72 the statutes of 1894 of Quebec, and also upon any lands acquired by virtue of such deeds or powers.

Que., 1894, c. 72.

1896 (2nd Sess.), c. 10, amended.

5. Section 6 of chapter 10 of the statutes of 1896, (Second Session) is amended by striking out the word "jeudi" (Thursday) in the French version and substituting therefor the word "mardi" (Tuesday).

No. 106.

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

BILL.

An Act respecting the South Railway Company.

First reading, March 29, 190

(PRIVATE BILL.)

MR. GEOFFI

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majes
1901

No. 107.] **BILL.** [1901.

An Act to confer on the Commissioner of Patents certain powers for the relief of John Abell.

WHEREAS John Abell, having his chief place of business at the city of Toronto in the province of Ontario, has, by his petition, represented that he is the holder and owner of letters patent, issued under the seal of the Patent Office, dated the seventeenth day of March, one thousand eight hundred and ninety, for a new and useful improved steam boiler fire box for consuming straw, being patent number thirty-three thousand nine hundred and fourty-four, and of letters patent under the seal of the Patent Office, dated the thirteenth day of August, one thousand eight hundred and ninety-two, for a new and useful variable cut-off engine, being patent number forty thousand one hundred and forty-seven, and is the patentee in each of the said patents named; that on or before the expiration of the first ten years of the former of the said letters patent, which were granted for a term of fifteen years, only the partial fee for the first ten years being paid upon the issue thereof and before the expiration of the first five years thereunder, and that on or before the expiration of the first six years of the latter of the said letters patent, which were granted for a term of eighteen years, only the partial fee for the first six years being paid upon the issue thereof, the said Abell was entitled, upon application therefor, to a certificate of payment of the additional fee provided by section 22 of *The Patent Act*, chapter 61 of the Revised Statutes, as amended by section 5 of chapter 24 of the statutes of 1892, and section 3 of chapter 34 of the statutes of 1893; that the said Abell, and the John Abell Engine and Machine Works Company, Limited, have invested large sums in the perfecting of the details of the manufacture of the said two inventions and in the extension and advertising of the business dealing in the machines covered by the said letters patent; that the said Abell an officer of the said company carrying on business at the time at the city of Toronto aforesaid, inadvertantly omitted to make such an application before the thirteenth day of August, one thousand eight hundred and ninety-eight, and owing to the fact that the said Abell had the said two patents in his possession and suffered a long and serious illness subsequent to the said date, the omission was not observed until a short time prior to the date of the said petition when he forthwith made application to pay the said fees on the said two patents, at which date such application could not be entertained, as the Commissioner of Patents could not then accept the additional fee and grant the certificate of payment thereof; and whereas the said Abell has, by his

Preamble.

R.S.C. c. 61. s. 22.

1892 c. 24, s. 5.

1893 c. 34, s. 3.

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:—.

Commissioner of Patents may extend duration of letters patent.

1. Notwithstanding anything to the contrary in *The Patent Act*, or in the two letters patent mentioned in the preamble, the Commissioner of Patents may receive from John Abell the application for a certificate of payment and the usual fees upon the said two letters patent for the remainder of the term of fifteen years from the date of the former of the said two letters patent and for the remainder of the term of eighteen years from the date of the latter of the said two letters patent, and may grant and issue to the said John Abell the certificate of payment of fees provided by *The Patent Act* and an extension of the period of the duration of the former of the said two letters patent to the full term of fifteen years, and an extension of the period of the duration of the latter of the said two letters patent to the full term of eighteen years in as full and ample a manner as if the application therefor had been duly made within the first ten years under the former and within six years under the latter of the said two letters patent from the respective dates of issue of the said two letters patent.

Rights of third persons preserved.

2. Any person who has, within the period between the thirtieth day of August, one thousand eight hundred and ninety-eight, under the said letters patent numbered forty thousand one hundred and forty-seven, and between the seventeenth day of March, one thousand nine hundred, under the said letters patent numbered thirty-three thousand nine hundred and forty-four, and the extension hereunder respectively of the said two letters patent, acquired by assignment, user, manufacture or otherwise any interest or right in respect of such improvements or inventions shall continue to enjoy the same as if this Act had not been passed.

No. 107.

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

BILL

An Act to confer on the Commissioner of Patents certain powers for the relief of John Abell.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. BELL
(Addington)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 108.] **BILL.** [1901.

An Act respecting the Manitoulin and North Shore Railway Company.

Preamble.

WHEREAS the Manitoulin and North Shore 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:—

Power to construct a line of railway.

1. The Manitoulin and North Shore Railway Company, hereinafter called "the Company," may construct and operate a line of railway from the town of Sudbury, in the district of Nipissing, thence north-easterly a distance of about fifty miles to Lake Tamagaming, and from a point on the Company's line of railway in the township of Drury or Hyman thence north-westerly a distance of fifty miles.

Time for construction limited.

2. Each of the said railways shall be commenced within two years and completed within five years from the passing of this Act, otherwise the powers hereby granted for its construction shall cease as to so much thereof as then remains uncompleted.

Branch lines.

3. The Company may, for the purpose of connecting any mine with the main line of its railway, or with any branch thereof, construct and operate branch lines of railway in the districts of Nipissing and Algoma, not exceeding in any one case thirty miles in length; but the Company shall not proceed to locate or build any branch line of more than one quarter of a mile in length under this section until public notice has been given for six weeks in some newspaper published in the districts in which such branch line is to be built,—and such notice shall state that the Company intends to apply to the Railway Committee of the Privy Council for sanction to build such branch line and to appropriate the necessary lands for that purpose under the compulsory powers vested in the Company by *The Railway Act*,—nor unless the Company has, prior to the first publication of such notice, deposited in the registry office of any district, or part of a district, in which the line or any part thereof is to be constructed, a map or plan and book of reference indicating the location of the line, nor until the Company has submitted such map or plan and book

Notice of application for power to build.

Deposit of plans.

of reference to, and that it has been approved of by, the Railway Committee after the expiration of the said notice, and the order of the Railway Committee approving such map or plan and book of reference shall limit the time, which shall not exceed two years from the date of such order, within which the Company may construct such branch line.

Limit of time for construction.

No. 108.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Manitoulin and North Shore Railway Company.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 109.] **BILL.** [1901.

An Act to incorporate the Canadian National Bank.

Preamble.

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

Incorporation.

1. Archibald Campbell, Charles Crittenden Van Norman, Randolph Macdonald, Denis Westen Karn, Donald McMillan and James Kendrey, together with such persons as become shareholders in the corporation, are incorporated under the name of "The Canadian National Bank," hereinafter called "the Bank."

Corporate name.

Provisional directors.

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

Capital stock.

3. The capital stock of the bank shall be two million dollars.

Chief office.

4. The chief office of the bank shall be at the city of Toronto, in the province of Ontario.

Time Act to continue in force.

5. This Act shall, subject to the provisions of section 16 of *The Bank Act*, continue in force until the first day of July, nineteen hundred and eleven.

of reference to, and that it has been approved of by, the Railway Committee after the expiration of the said notice, and the order of the Railway Committee approving such map or plan and book of reference shall limit the time, which shall not exceed two years from the date of such order, within which the Company may construct such branch line.

Limit of time for construction.

No. 108.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Manitoulin and North Shore Railway Company.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 109.] **BILL.** [1901.

An Act to incorporate the Canadian National Bank.

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. Archibald Campbell, Charles Crittenden Van Norman, Randolph Macdonald, Denis Westen Karn, Donald McMillan and James Kendrey, together with such persons as become shareholders in the corporation, are incorporated under the name of "The Canadian National Bank," hereinafter called "the Bank." Incorporation. Corporate name.

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

3. The capital stock of the bank shall be two million dollars. Capital stock.

4. The chief office of the bank shall be at the city of Toronto, in the province of Ontario. Chief office.

5. This Act shall, subject to the provisions of section 16 of *The Bank Act*, continue in force until the first day of July, nineteen hundred and eleven. Time Act to continue in force.

No. 109.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Canadian National Bank.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 110.] **BILL.** [1901.

An Act to incorporate the Debenture and Securities' Corporation 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. H. P. Dwight, Thomas Long, Stapleton Caldecott, F. W. G. Fitzgerald and F. B. Osler, of the city of Toronto, S. H. Ewing, of the city of Montreal, and F. Holloway, of the city of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The Debenture and Securities' Corporation of Canada," hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each, and may be issued as follows, or in such other proportions as the directors may determine by by-law:— Capital stock.

(*a.*) Nine thousand shares of preference stock, which shall be entitled to such preference dividend, not exceeding six per cent per annum, as shall, from time to time, be declared by the directors, and shall be provided for out of the net earnings of the Company before any dividends are paid upon the ordinary stock of the Company; but the said preference stock shall not be entitled to participation in any further profits of the Company; provided that holders of preference stock shall be shareholders and possess all the rights and be subject to all the liabilities of shareholders. Preference stock.

(*b.*) One thousand shares of ordinary stock. Ordinary stock.

2. Such capital stock may be issued either in sterling or currency or both, as the directors determine, and if any of such capital stock is issued in sterling it shall be at the rate of four dollars and eighty-six and two-thirds cents per pound sterling. Currency of issue.

3. Every shareholder of the Company who has paid all calls due on his shares shall be entitled to one vote for each share held by him. Voting power.

4. The head office of the Company shall be in the city of Toronto, in the province of Ontario, or at such other place Head office.

in Canada as the directors from time to time determine by by-law; but the Company may establish other offices and places of business elsewhere.

Number of directors.

5. The affairs of the Company shall be managed by a board of not less than five directors and the number of directors may be determined from time to time by resolution of the shareholders at any general meeting of the Company.

Loaning and investment powers.

6. The Company may lend money on, or purchase, sell and deal in stocks, bonds, debentures and obligations of municipal and other corporations secured by mortgage or otherwise; or Dominion, Provincial, British, foreign and other public securities.

Trustee powers.

7. The Company may also act as agent or trustee for the purpose of issuing or countersigning certificates of stock, bonds, or other obligations of any association or corporation; and as attorney or agent for the collection of interest, dividends, debts, mortgages, debentures, bonds, coupons, and other securities for money.

Agency association.

8. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person upon such securities as are mentioned in section 6 of this Act, or to any body corporate, or to any municipal or other authority, or to any board or body of trustees or commissioners, upon such terms and upon such security as to the Company appears satisfactory, and may purchase and acquire any securities on which they are authorized to advance money, and again re-sell the same.

Enforcement of agreements.

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

Guarantee of moneys.

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

Employment of capital.

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

Money guaranteed to be deemed borrowed.

5. All moneys of 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.

Borrowing powers.

9. The Company may borrow money, and receive money on deposit, upon such terms as to interest, security and otherwise as may be agreed on, and may issue its bonds, debentures and other securities for moneys borrowed; and may borrow also on the security of any stocks, bonds, debentures, or other securities purchased and owned by it; provided always 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 capital stock; and provided further that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid up and unimpaired capital and of its cash actually in hand or deposited in any chartered bank in Canada or elsewhere, and belonging to the Company.

Limitations.

Debenture stock.

10. The directors of the Company may, with the consent of the shareholders at an annual or a special general meeting duly called for the purpose, create and issue debenture stock in such amounts and manner, on such terms 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 9 of this Act, and such debenture stock shall rank equally with such ordinary debenture debt, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by holders of ordinary debentures of the Company.

Registration of debenture stock.

11. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in the head office of the Company, wherein shall be set forth the names and addresses of the persons from time to time entitled to such stock, with the respective amounts thereof to which they are respectively entitled, and such stocks shall be transferable in such amounts and in such manner as the directors may determine. The said register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, debenture stockholder and shareholder of the Company without the payment of any fee or charge.

Business of foreign agencies.

12. 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.

Exchange of ordinary debentures.

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

Cancellation of debenture stock.

14. The Company, having issued debenture stock, may, from time to time, as it thinks fit, and for the interest of the Company, and in accordance with the terms of the by-law creating the same, redeem and cancel the said debenture stock or any portion thereof.

No liability on trusts.

15. The Company shall not be bound to see to the execution of any trust, whether expressed, implied or constructive,

to which any share of its stock or debenture stock, or to which any deposit or any other moneys payable by or in the hands of the Company, may be subject; and the receipt of the person in whose name such share, debenture stock or money stands in the books of the Company shall, from time to time, be sufficient discharge to the Company for the payment of any kind made in respect of such share, stock or money, notwithstanding any trust to which the same 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.

Term for which land may be held.

16. No parcel of land or interest therein, at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof, but such land and interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security. Provided that any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown. Provided that the Crown may extend the said period, from time to time, not exceeding in the whole twelve years. Provided further that no such forfeiture shall take effect or be enforced until the expiration of at least six calendar 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 the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company, and subject to these provisoes.

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

Annual statement for Minister of Finance.

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

Alteration of name of Company.

18. In the event of the directors of the Company deeming it expedient to obtain at a later date an amendment or alteration of the name by which it is now incorporated, the Governor in Council may alter or amend the name of the Company in such manner as may be set forth in the order in council; but

no such change of name shall affect the rights or obligations of the Company, and all proceedings which might have been continued or commenced by or against the Company under its former name, may be continued or commenced by or against the Company under its new name.

19. Sections 7, 18, 24, 38 and 39 of *The Companies Clauses Act* shall not apply to the Company. R.S.C., c. 118.

No. 110.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to incorporate the Debenture and Securities' Corporation of Canada.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. OSLER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 111.] **BILL.** [1901.

An Act to incorporate 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, declares and enacts as follows:— Preamble.

1. Thomas Murray, of the town of Pembroke, Ontario, Augustine Bourbonnais, of North Temiscamingue, A. E. Guay and H. Aimé Riopelle, of Ville Marie, in the district of Pontiac, Raymond Préfontaine, John W. Poupore, Thomas A. Brisson and L. Joseph Tarte, of the city of Montreal, Edmund T. Walsh, Rodolphe G. Chevrier, Ferdinand A. Gendron, Alfred W. Desjardins and Joseph C. Dupont, of the city of Ottawa, and Alexander Ribout, of the town of Mattwa, Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Interprovincial and James Bay 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 one hundred thousand dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital stock.

2 The capital stock may be increased to five million dollars by resolution of the directors as they deem necessary. Increase of capital.

5. The head office of the Company shall be in the city of Ottawa or in such other place in Canada as the directors from time to time determine by by-law. Head office.

6. The annual meeting of the shareholders shall be held on the third Wednesday in September in each year. Annual meeting.

7. At such meeting the subscribers for the capital stock assembled, who have paid all calls due on their shares, shall chose not less than five nor more than seven persons to be directors of the Company, none of whom shall be paid directors. Election of directors.

Proxies.

2. No person other than a shareholder having the right to vote shall vote or act as a proxy at any meeting of the Company.

Line of railway described.

8. The Company may lay out, construct and operate a a railway of the gauge of four feet eight and one half inches, or of a narrow gauge, propelled by steam, electricity or any other power, from a point on the Canadian Pacific Railway between lakes Temiscamingue and Kippewa, to Lake Abbitibi, thence to James Bay, following as nearly as possible the boundary line between the provinces of Ontario and Quebec and passing through either of the said provinces as the case may be.

Other lines.

2. The Company may also lay out, construct and operate railways and branch lines along and around lakes Kippewa, Des Quinze, Expanse and Abbitibi, and along the rivers Kippewa, La Loutre, La Blanche, Des Quinzes, Ottawa and Abbitibi.

Powers of Company.

9. The Company may, for the purposes of its undertaking, and the requirements of its business,—

Navigation.

(*a*) carry on the business of navigation on the navigable lakes and rivers adjacent to its line of railway and branches, acquire and use steam and other vessels for the transportation of passengers and freight, and dispose thereof;

Elevators.

(*b*) acquire, construct and operate docks and elevators;

Power and electricity.

(*c*) acquire water powers for the generation of electricity, and operate electrical works for the use and transmission of the power necessary for the operation of its railway and branches, tramways, saw mills and paper mills, and utilize them for purposes of heating and lighting and dispose of power not required for its own undertaking;

Patent rights.

(*d*) acquire exclusive rights in letters patent, franchises and patents of invention, and again dispose thereof;

Mining.

(*e*) acquire, own and operate mines and exercise mining rights and privileges, and establish foundries and blast furnaces and carry on all works connected therewith;

Transportation.

Shipping.

(*f*) carry on the business of carriers, forwarders and transportation agents, and all other business incident thereto or connected therewith, and also the business of wharfingers, shippers and ship-owners.

Telegraph and telephone lines.

10. The Company may construct and operate telegraph and telephone lines and establish offices for the transmission of messages for the public and collect tolls therefor; and, for the operation of its telegraph and telephone lines, the Company may enter into agreements with any other company or may lease the Company's lines or any part thereof; and may connect its lines with the lines of any telegraph or telephone company.

Agreements with telegraph and telephone companies.

2. The Company may make arrangements with any telegraph or telephone company for the exchange and transmission of messages or for the working in whole or in part of the lines of the Company.

Rates to be approved

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone or for leasing or using the telegraphs or telephones of

the Company until such rates or charges have been approved of by the Governor in Council; and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

Aid to Company.

11. The Company may receive by grant from any government or person as aid in the construction, purchase or maintenance of its works any crown lands, real or personal property, bonuses, debentures, subsidies or negotiable securities or guarantee of the bonds of the Company, and the Company may dispose of and sell the said properties other than lands expropriated for the purposes of its railway.

Bond issue on railway.

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

Bond issue on other property.

13. The Company, having been first authorised by a resolution passed at a special general meeting of the shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds in value of the capital stock of the Company are present or represented by proxy, may, from time to time, issue bonds or debentures for the construction of any vessels or properties, other than the railway, which the Company is authorized to acquire, but the amount of such bonds and debentures shall not exceed the value of such vessels or properties.

Mortages to secure bonds.

14. For the purpose of securing each issue of such bonds the Company may give a mortgage not contrary to law or inconsistent with the provisions of this Act in such form and containing such provisions as may be approved of by a resolution passed at the special general meeting of the shareholders mentioned in the next preceding section.

To be made to trustees.

2. Each of such mortgages shall be made to trustees who shall be appointed for that purpose at such special general meeting, and may contain provisions determining the amount secured upon the vessels or class of vessels or upon the properties, other than the railway, to which it relates, the rank and priority of the bonds secured thereby, the right and remedies of the holders of such bonds, the manner of assuring the application of the proceeds of such bonds for the purposes for which they were issued, the rate of interest which they shall bear and the time and place of the payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds, and all the conditions, stipulations and restrictions necessary for giving effect to the terms of the mortgage and the protection of the holders of such bonds.

Power to bind tolls and revenues.

3. The Company may pledge the tolls and revenues of the vessels or class of vessels or properties, other than the railway, to which the mortgage relates in the manner and to the extent therein specified; and the said mortgage shall create absolutely a first lien and charge upon the vessels or class of vessels

or properties, other than the railway, therein described as well as upon the tolls, revenues and subsidies mortgaged, the whole for the benefit of the holders of the bonds with respect to which it is executed.

Bond holders to rank equally.

15. Each issue of the bonds to be secured by the mortgage mentioned in the next preceding section shall entitle the holders of each of such issues to rank *pari passu;* and a duplicate of such mortgage shall be filed in the office of the Secretary of State of Canada.

Agreement with another company.

16. The Company may enter into an agreement with the Canadian Pacific Railway Company, the Northern Colonization Railway Company, the Grand Trunk Railway Company of Canada, or the Nipissing and James Bay Railway Company to sell or lease to any one of such companies the railway of the Company, in whole or in part, and all the rights and powers acquired under this Act, together with the franchises, surveys, plans, works, plant, material, machinery and other property to it belonging, or for amalgamation with such company, upon such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit; provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the capital stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Approval of shareholders and Governor in Council.

Notice of application for sanction.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 239 of *The Railway Act*, and also for a like period in one newspaper in each electoral district through which the railway of the Company runs and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of the agreement referred to in subsection 1 of this section shall, within thirty days after its execution, be filed in the office of the Secretary of State of Canada, and notice thereof shall be given by the Company in *The Canada Gazette;* and the production of *The Canada Gazette* containing such notice shall be prima facie evidence of the requirements of this Act having been complied with.

No. 111.

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

BILL

An Act to incorporate the Interprov and James Bay Railway Compar

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. MURR

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 112 | **BILL.** [1901.

An Act respecting the Montreal and Southern Counties Railway Company.

Preamble.

WHEREAS the Montreal and Southern Counties 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:—

1897, c. 56; 1898, c. 78.

1897, c. 56, s. 4 amended.

1. Section 4 of chapter 56 of the statutes of 1897 is amended by striking out the words "except steam" in the second line thereof, and by adding to the said section the following subsection:—

Connections with other railways.

"2. The Company may connect its railways with the railways of the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Montreal Street Railway Company, the Montreal Park and Island Railway Company, the Montreal Terminal Railway Company, the Chateauguay and Northern Railway Company and the Great Northern Railway Company on the Island of Montreal; also with the St. Lawrence and Adirondack Railway Company, the Canada Atlantic Railway Company, the Rutland Canadian Railway Company, the Rutland and Noyan Railway Company, the Rutland Railway Company, the Vermont and Province Line Railway Company, the Quebec Southern Railway Company, the South Shore Railway Company, the Montreal and Province Line Railway Company, the Delaware and Hudson Railway Company, the Central Vermont Railway Company, the Stanstead, Shefford and Chambly Railway Company and the St. Hyacinthe Electric Railway Company, and for the purpose of crossing the River St. Lawrence the Company may enter into arrangements with the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Montreal Bridge Company and the Richelieu and Ontario Navigation Company."

S. 9 amended.

Bond issue.

2. Section 9 of the said Act is amended by adding the words "of single track" after the words "per mile" in the second line thereof.

S. 10 amended.

3. Section 10 of the said Act, as amended by section 5 of chapter 78 of the statutes of 1898, is amended by adding after the words "Napierville Junction Railway Company" the words "the Rutland and Noyan Railway Company, the Rutland Canadian Railway Company, the Rutland Railway Company, the Vermont and Province Line Railway Com-

Agreements with other companies.

pany, the Delaware and Hudson Railway Company, the Quebec Southern Railway Company and the St. Hyacinthe Electric Railway Company."

1897, c. 56, s. 12 and 1898, c. 78, s. 3 amended.

4. Section 12 of chapter 56 of the statutes of 1897 and section 3 of chapter 78 of the statutes of 1898 are repealed, and in lieu thereof it is enacted that if fifteen per cent of the amount of the capital stock is not expended on the railway of the Montreal and Southern Counties Railway Company before the first day of July, nineteen hundred and three, and if the railway is not completed before the first day of July, nineteen hundred and eight, the powers granted for the construction thereof shall cease and determine as respects so much of the said railway as then remains uncompleted.

Time extended.

Vessels, buildings, etc.

5. The said company may construct, purchase, charter, lease, maintain and operate steam, electric, gasoline, compressed air and other boats, vessels and power vehicles, and elevators, warehouses, docks, wharfs and other buildings, and dispose thereof.

No. 112.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Montreal and Southern Counties Railway Company.

First reading, March 29, 1901.

(PRIVATE BILL.)

MR. CARROLL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 113.] **BILL.** [1901.

An Act in further amendment of the Dominion Elections Act, 1900.

IN amendment of the Dominion Elections Act, 1900, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1900, c. 12 amended.

1. On the nomination day each candidate shall furnish to the returning officer an electrotype or wood-cut of his portrait, three inches in height and two inches in width. Portrait of candidate.

2. For each candidate there shall be a ballot paper, on which shall be a clear print from such electrotype or wood-cut, with the name of the candidate printed beneath in large type; and the returning officer shall furnish each deputy returning officer with a sufficient number of ballot papers of each candidate to supply the number of voters on the list of his polling division. Form of ballot paper.

3. The elector shall receive from the deputy returning officer a ballot paper for each candidate, and shall forthwith proceed into one of the compartments of the polling station, and there take the ballot paper with the portrait of the candidate for whom he intends to vote and fold it so as not to make known the candidate but so that the initials and stamp on the back of it and the number on the counterfoil can be seen without opening it, and, returning, shall hand it to the deputy returning officer, who shall, without unfolding it, ascertain, by examining his initials and the stamp and the number on the counterfoil, that it is one of those which he furnished to the elector, and in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot paper in the ballot box; and the elector shall then hand the remaining ballot paper or papers, similarly folded, to the deputy returning officer, who shall at once identify them, without unfolding them, and destroy them in full view of those present, including the elector. Manner of voting.

4. All provisions of *The Dominion Elections Act*, 1900, relating to ballot papers shall, so far as applicable, apply to the ballot paper hereby substituted for the one mentioned in the said Act. Application of certain provisions.

No. 113.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act in further amendment of the Dominion Elections Act, 1900.

First reading, March 29, 1901.

MR. WRIGHT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 115.] **BILL.** [1901.

An Act to amend the General Inspection Act.

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

1. The section substituted by section 4 of chapter 25 of the statutes of 1899, for section 44 of *The General Inspection Act*, is amended by striking out the first eight paragraphs of subsection 1 relating to spring wheat, and substituting therefor the following paragraphs :— R.S.C., c. 99, s. 44 amended

"*Spring Wheat.*

"Extra Manitoba hard wheat shall weigh not less than sixty-two pounds per bushel, shall be plump, sound, and well cleaned, and shall contain not less than eighty-five per cent of hard red Fife wheat.

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

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

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

"Scoured wheat shall not be graded higher than No. 3 Manitoba Northern.

"All wheat in the preceding six grades shall consist wholly of wheat grown in Manitoba, in the North-west Territories, or in Ontario, west of Fort William, on Lake Superior."

No. 115.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the General Inspection Act.

First reading, April 2, 1901.

Mr. Bernier.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 116.] **BILL.** [1901.

An Act respecting the Culling of Lumber and the Inspection of Staples.

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

R.S.C., cc. 34 and 103, amended as to control of culling of lumber.

1. Notwithstanding anything in *The Inland Revenue Act*, chapter 34 of the Revised Statutes, or in *The Cullers' Act*, chapter 103 of the Revised Statutes, or in any Acts amending them, the administration of the laws affecting the culling and measuring of lumber may be placed, by the Governor in Council, under the management and direction of the Minister of Trade and Commerce.

R.S.C., c. 99, amended as to administration thereof.

2. Nothwithstanding anything in *The General Inspection Act*, chapter 99 of the Revised Statutes, or in any Act amending it, the administration thereof may be placed, by the Governor in Council, under the management and direction of the Minister of Trade and Commerce.

1900, cc. 39 and 40 amended as to administration thereof.

3. Notwithstanding anything in the *Act respecting the grain trade in the Inspection District of Manitoba*, chapter 39 of the statutes of 1900, or in the *Act respecting the Inspection of Foreign Grain*, chapter 40 of the statutes of 1900, the administration thereof may be placed, by the Governor in Council, under the management and direction of the Minister of Trade and Commerce.

Minister to whom subject is transferred, substituted for Minister of Inland Revenue.

And Deputy Minister.

4. Whenever, under the provisions of this Act, the management and direction of any one of the subjects hereinbefore mentioned is transferred from the Minister of Inland Revenue to the Minister of Trade and Commerce, the latter shall be substituted for and have all the powers and perform all the duties of the Minister of Inland Revenue, as defined and provided by the Acts relating to such subject, and the Deputy of the Minister of Trade and Commerce shall in like manner be substituted for and have all the powers and perform all the duties of the Deputy Minister of Inland Revenue in relation to such subject.

No. 116.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Culling of Lumber and the Inspectien of Staples.

First reading, April 2, 1901.

Mr. Bernier.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 117.] **BILL.** [1901.

An Act respecting the packing or sale of certain staple commodities.

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

Bushel of certain articles.

1. 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 be as follows :—

Barley, forty-eight pounds ;
Beans, sixty pounds ;
Beets, sixty pounds ;
Bituminous coal, seventy pounds ;
Blue-grass seed, fourteen pounds ;
Buckwheat, forty-eight pounds ;
Carrots, sixty pounds ;
Castor beans, forty pounds ;
Clover seed, sixty pounds ;
Flax seed, fifty-six pounds ;
Hemp seed, forty-four pounds ;
Indian corn, fifty-six pounds ;
Lime, seventy pounds ;
Malt, thirty-six pounds ;
Oats, thirty-four pounds ;
Onions, fifty pounds ;
Parsnips, sixty pounds ;
Peas, sixty pounds ;
Potatoes, sixty pounds ;
Rye, fifty-six pounds ;
Timothy seed, forty-eight pounds ;
Turnips, sixty pounds ;
Wheat, sixty pounds ;

Standard bag of potatoes in Quebec.

2. In the province of Quebec, when potatoes are sold or offered for sale by the bag, the bag shall contain at least eighty pounds.

Penalty for contravention.

3. Every person who violates any provision of this section shall be liable, on summary conviction, for a first offence, to a penalty not exceeding twenty-five dollars, and for each subsequent offence, to a penalty not exceeding fifty dollars.

Standard weights of hay and straw in Quebec.

2. In the province of Quebec the following shall be the standard weights for hay and straw, unless sold by the ton, or unless it appears that the parties to the contract agreed otherwise :—

A bundle of timothy, clover or other hay, with a timothy band, fifteen pounds ;

A bundle of timothy, clover or other hay, bound with a withe, sixteen pounds;

A bundle of straw, twelve pounds.

Contents and marking of barrels of salt.

3. Every barrel of salt packed in bulk, sold or offered for sale, shall contain two hundred and eighty pounds of salt, and every such barrel of salt, sold or offered for sale, shall have the correct gross and net weight thereof marked upon it in a permanent manner.

As to bags of salt in barrels.

2. When bags of salt are packed in barrels, the number of bags contained in the barrel and the weight of the aggregate amount of salt shall be marked, stamped or branded on one head of the barrel.

Name to be marked on barrel.

3. The name or the registered trade mark of the packer of the salt, if it is packed in Canada, or the name and address of the importer, if it is packed elsewhere than in Canada, shall be marked, stamped or branded on every barrel of salt sold or offered for sale in Canada.

Penalty for contravention.

4. Every person who neglects to comply with any provision of this section, and every person who sells or offers for sale any salt in contravention of this section, shall be liable, on summary conviction, to a penalty of not less than ten dollars for each offence; but no deficiency in the weight of the salt contained in any package shall be deemed a contravention of this section unless such deficiency exceeds five per cent.

Exception.

Limitation of suits.

5. No penalty shall be recoverable under this section unless proceedings for the recovery thereof are instituted within twenty days after delivery of the package of salt with respect to which it is claimed that a contravention of this section has been committed.

How apples shall be packed for sale.

4. All apples packed in Canada for export for sale by the barrel in closed barrels shall be packed in good and strong barrels of seasoned wood having dimensions not less than the following, namely: twenty-six inches and one-fourth between the heads, inside measure, and a head diameter of seventeen inches, and a middle diameter of eighteen inches and one-half, representing as nearly as possible ninety-six quarts.

Apples, pears and quinces.

2. When apples, pears or quinces are sold by the barrel, as a measure of capacity, such barrel shall not be of lesser dimensions than those specified in this section.

Penalty for contravention.

3. Every person who offers or exposes for sale, or who packs for exportation, apples, pears or quinces by the barrel, otherwise than in accordance with the foregoing provisions of this section, shall be liable, upon summary conviction, to a penalty of twenty-five cents for each barrel of apples, pears or quinces so offered or exposed for sale or packed."

Standard dozen of eggs.

5. When eggs are described as sold by the standard dozen, the dozen shall mean one pound and a half.

Ball of binder twine to be stamped.

6. Upon, or attached to, every ball of binder twine offered for sale there shall be a stamp with the name of the manufacturer or importer, stating the number of feet of twine per pound in such ball.

Penalty for contravention.

2. Every manufacturer or importer who neglects to comply with the provisions of this section shall, upon summary con-

viction, be liable to a penalty of not less than twenty-five cents per ball, but no deficiency in the number of feet contained in any ball shall be deemed a contravention of this section unless such deficiency exceeds five per cent of the length stated upon such stamp.

Limitation of suits.

3. Any proceedings under this section shall be taken within six months from the sale of any such ball.

Repeal.

7. The following Acts and parts of Acts are repealed :— Section 17 of *The Weights and Measures Act*, chapter 104 of the Revised Statutes, and also the following amendments to the said Act, namely, chapter 25 of the statutes of 1888 ; section 2 of chapter 30 of the statutes of 1898 ; section 1 of chapter 28 of the statutes of 1899 ; and chapter 37 of the statutes of 1900.

No. 117.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act respecting the packing or sale of certain staple commodities.

First reading, April 2, 1901.

MR. BERNIER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 120.] **BILL.** [1901.

An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

WHEREAS the corporation known as the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada, hereinafter referred to as the Provincial Corporation, was orginally incorporated under chapter 167 of the Revised Statutes of Ontario, of 1877; and whereas the Subsidiary High Court of the Ancient Orders of Foresters in the Dominion of Canada, hereinafter referred to as the Dominion Corporation, was incorporated by an Act of the Parliament of Canada, being chapter 91 of the statutes of 1898, which received the royal assent on the thirteenth day of June, one thousand eight hundred and ninety-eight; and whereas the Provincial Corporation on the said thirteenth day of June, one thousand eight hundred and ninety-eight ceased to exercise its corporate powers; and whereas the Dominion Corporation has represented that on the said thirteenth day of June, one thousand eight hundred and ninety-eight it assumed all the contracts and liabilities of the Provincial Corporation, and that it has paid all the debts, performed all the duties and fulfilled all the obligations, as they have matured, of the Provincial Corporation, and that there are no debts of the Provincial Corporation now remaining undischarged; and whereas the Dominion Corporation has, by its petition, prayed that it be enacted that it had authority on the thirteenth day of June, one thousand eight hundred and ninety-eight, to accept and did accept on the said date a transfer from the Provincial Corporation of all the assets, interests, rights, credits, effects and property, real personal and mixed of whatever kind and wherever situate, belonging to the Provincial Corporation, or to which it was or might become entitled; and whereas the Dominion Corporation has, by its said petition, further prayed that it be enacted that it had authority on the said thirteenth day of June, one thousand eight hundred and ninety-eight, to accept, and did accept on the said date, as members in the Dominion Corporation, subject to the provisions of its constitutions and laws, all persons who on the said date were subject to the constitutions and laws of the Provincial Corporation in good standing in the Provincial Corporation, and that it, the Dominion Corporation, had authority to assume on the said date and did assume all the liabilites of the Provincial Corporation; and whereas the Dominion Corporation has, by its said petition, further prayed for certain amendments to its Act of incorporation; and it is expedient to grant the prayer of the said petition: Therefore

Preamble.

R.S.O., 1877, c. 167.

1898, c. 91.

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

Short title.

1. This Act may be cited as *The Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada Act*, 1901.

Assets transferred to Dominion Corporation.

2. The Dominion Corporation defined in the preamble shall be deemed to have had authority on the thirteenth day of June, one thousand eight hundred and ninety-eight, to accept, and shall be deemed to have accepted on the said date, a transfer to the Dominion Corporation, its successors and assigns, to its and their own use absolutely, of all the assets, interests, rights, effects and property, real, personal and mixed, of whatever kind and wherever situate belonging to the Provincial Corporation, also defined in the preamble, or to which the Provincial Corporation was, is or shall hereafter be entitled.

Liabilities assumed by Dominion Corporation.

3. The Dominion Corporation shall be deemed to have had on the thirteenth day of June, one thousand eight hundred and ninety-eight, authority to assume, and shall be deemed to have assumed on the said date all the liabilities of the Provincial Corporation.

Membership in Dominion Corporation.

4. The Dominion Corporation shall be deemed to have had authority on the thirteenth day of June, one thousand eight hundred and ninety-eight, to accept and shall be deemed to have accepted on the said date as members in the Dominion Corporation, subject to the provisions of its constitutions and laws, all persons who, on the said date, were subject to the constitutions and laws of the Provincial Corporation, members in good standing in the Provincial Corporation, and the the constitutions and laws of the Dominion Corporation, filed in the office of the Superintendent of Insurance on the twentieth day of August, one thousand eight hundred and ninety-eight, shall be deemed (until altered, amended or repealed as in the said constitutions and laws provided and as provided by the provisions of chapter 91 of the statutes of 1898) to be in full force and effect and binding upon every member of the Dominion Corporation, including all of such members as were members of the Provincial Corporation.

No. 120.

1st Session, 9th Parliament, 1 Edward VII

BILL.

An Act respecting the Subsidiar
Court of the Ancient Order of F
in the Dominion of Canada.

First reading, April 10, 190

(PRIVATE BILL.)

MR. HE

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Maj
1901

No. 121.] **BILL.** [1901.

An Act further 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:—

R.S.C., c. 35, s. 2 amended.

1. The paragraph substituted by subsection 1 of section 2 of chapter 20 of the statutes of 1889 for paragraph (*i*) of section 2 of *The Post Office Act*, is repealed and the following is substituted therefor:—

"Post letter" defined.

"(*i.*) The expression 'post letter' means any letter transmitted by the post or delivered through the post, or deposited in any post office, or in any letter box put up anywhere under the authority of the Postmaster General, whether such letter is addressed to a real or a fictitious person or not, and whether it is intended for transmission by the post or delivery through the post or not; and a letter shall be deemed a post letter from the time of its being so deposited to the time of its being delivered to the person to whom it is addressed, or so long as it remains in the post office or in any such letter box or is being carried through the post; and a delivery to any person authorized to receive letters for the post shall be deemed a delivery at the post office, and a delivery of any letter or other mailable matter at the house or office of the person to whom the letter is addressed, or to him, or to his servant or agent, or other person considered to be authorized to receive the letter or other mailable matter, according to the usual manner of delivering that person's letters, shall be a delivery to the person addressed."

Section 44 amended.

Dead letter offices.

2. Subsection 1 of section 44 of the said Act, as enacted by section 5 of chapter 20 of the statutes of 1898, is amended by the omission of the word "and" in the eighteenth line and the insertion after the word "Halifax" in the same line of the following words: "St. John, Kingston, Hamilton, London, and Vancouver, and the town of Dawson."

Section 61 amended.

3. Subsection 2 of section 61 of *The Post Office Act* is amended by the substitution of the word "eight" for the word "four" in the second line and in the sixth line of the said subsection.

Section added.

4. The said Act, as amended by chapter 26 of the statutes of 1897, is further amended by adding thereto the following section:—

Train porters.

"**132.** The Governor-in-Council may appoint to the railway mail service of Canada employees to be known as 'Train

Porters,' the Postmaster General to determine from time to time the duties to which they may be assigned; the minimum salary on appointment to be at the rate of four hundred dollars per annum, which may be increased annually by thirty dollars until the maximum salary of seven hundred dollars per annum is reached.

Examination. "2. Appointees to this class will require to have passed the preliminary civil service examination, and no person shall be appointed to the position of train porter who is less than eighteen or more than twenty-four years of age.

Promotion. "3. Any train porter who has had three years' service as such, and who has passed the qualifying civil service examination, and also such examination in duties as the Post Master General prescribes, shall be eligible for appointment, at such salary as he has at the time, to the rank of railway mail clerk."

No. 121.

1st Session, 9th Parliament, 1 Edward VII., 1901.

BILL

An Act further to amend the Post Office Act.

First reading, April 12, 1901.

Mr. Sutherland,
(Oxford).

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 122.] **BILL.** [1901.

An Act further to amend the General Inspection Act.

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

R.S.C., c. 90, new section 2.

1. Section 2 of *The General Inspection Act*, chapter 99 of the Revised Statutes, as amended by section 1 of chapter 23 of the statutes of 1892, by section 1 of chapter 36 of the statutes of 1894, and by section 1 of chapter 25 of the statutes of 1899, is repealed and the following is substituted therefor:—

Governor may appoint inspectors of certain articles.

"**2.** The Governor in Council may, from time to time, designate the several cities, towns and other places or inspection divisions in Canada at and for which, respectively, it is expedient to appoint inspectors of the several articles hereinafter mentioned, or any of them; and the Governor in Council may, from time to time, determine the limits of such inspection divisions and appoint at and for each of such cities, counties, towns, places or divisions, inspectors and deputy inspectors of any of the following articles, that is to say:—

"(*a.*) Flour and meal;

"(*b*) Wheat and other grain, and hay;

"(*c.*) Beef and pork;

"(*d.*) Pot ashes and pearl ashes;

"(*e.*) Pickled fish and fish-oil;

"(*f.*) Butter;

"(*g*) Leather and raw hides;

"(*h.*) Apples;

"(*i.*) Cheese.

Tenure of office and limits of action.

"2. Such inspectors and deputy inspectors shall hold office during pleasure, and shall act respectively within such local limits as the Governor in Council assigns to them; and they shall be appointed only from among duly qualified persons, certified as such by the examiners hereinafter mentioned.

Chief inspectors.

"3. The Governor in Council may also appoint chief inspectors of any of the articles hereinbefore enumerated, who shall hold office during pleasure and shall perform the duties hereinafter assigned to them or hereafter from time to time assigned to them by the Governor in Council.

Remuneration.

"4. Such chief inspectors, inspectors and deputy inspectors may be paid by salary or by fees, as is determined in each case by the Governor in Council."

New section 8.

3. Section 8 of the said Act, as amended by section 2 of chapter 16 of the statutes of 1889, is repealed and the following is substituted therefor:—

Appointment of deputy inspectors.

"**8.** Each inspector, except an inspector of grain, may, and shall when thereunto required by the Governor in Council, in

any inspection division, or by the board of trade or chamber of commerce, as the case may be, at any of the places hereinbefore mentioned by name, appoint a deputy inspector or so many deputy inspectors as are necessary for the efficient and speedy performance of the duties of his office; and they shall be the deputies of the inspector for all the duties of his office, and their official acts shall be held to be the official acts of the inspector, and he shall be responsible for them as if done by himself; and each deputy inspector shall make such returns and reports of his official acts as are required of him by the inspector whose deputy he is.

Report to Minister.

"2 The appointment by an inspector of each deputy inspector shall be at once reported by him to the Minister of Inland Revenue."

New section 9.

4. Section 9 of the said Act is repealed and the following is substituted therefor:—

Tenure of office and duty of deputy inspector.

"**9.** Every deputy inspector, except deputy inspectors of grain, shall be paid by, and shall hold office at the pleasure of, the inspector by whom he is appointed, and shall, before acting as deputy inspector, give security for the due performance of the duties of his office in such sum as the Minister of Inland Revenue directs, by bond to the inspector, with two sureties to his satisfaction, to be bound jointly and severally with him; and such bond shall avail to the inspector for any breach of the conditions thereof; and no inspector shall allow any person to act for him in respect of the duties of his office, excepting his sworn deputy inspector or deputy inspectors appointed as aforesaid."

Security to be given by him.

To act in person.

Section 16 amended.

5. Subsections 6 and 8 of section 16 of the said Act are repealed and the following are substituted therefor:—

Reference of dispute to chief inspector.

"6. If any dispute arises between any inspector or deputy inspector, and the owner or possessor of any article inspected by him, in respect of which article a chief inspector has been appointed, with regard to the quality or condition of such article, or relating thereto, the matter in dispute shall not be decided by either of the methods in this section before provided, but shall be referred to the chief inspector, who shall immediately examine such articles and report his opinion of the quality or condition thereof; and his determination, expressed in writing, shall be final and conclusive, and the inspector or deputy inspector shall immediately conform thereto, and shall brand, stamp or mark, or cause to be branded, stamped or marked, such article, or the package containing it, of the quality or condition ascertained by the determination aforesaid, or shall grant a certificate of inspection in accordance with such determination, as the case requires."

Difference between inspectors.

"8. Whenever any difference arises between inspectors as to the true quality or grade of any article inspected by one of them and re-inspected by another, such difference shall be definitely determined by reference to the chief inspector, if one has been appointed, or otherwise to such board of arbitration or other authority as the Governor in Council appoints for that purpose."

6. The Governor in Council may from time to time increase or reduce the fees for the inspection of grain. Fees for inspection of grain.

7. The schedule to chapter 25 of the statutes of 1899 is amended by repealing paragraphs 14, 16, 17, 18, 19 and 20 thereof, and substituting the following therefor :— 1899, c. 25, schedule amended.

"14. In any case in the Manitoba Inspection Division where an inspector or deputy inspector inspects grain, and the owner or producer of such grain is dissatisfied with the grading of such grain by the inspector or deputy, the said owner or producer may appeal from the said inspector's grading to the chief grain 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 the chief inspector, and give his decision thereon, which shall be final."

"16. The inspection fees upon grain inspected within the Manitoba District, shall be treated as 'advanced charges' to be paid by the common carrier or warehouseman in whose possession the grain is at the time of such inspection, and shall be deposited to the credit of the Receiver General under such regulations as the Department of Trade and Commerce may establish."

No. 122.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act further to amend the General Inspection Act.

First reading, April 16, 1901.

Mr. Bernier.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 123.] **BILL.** [1901.

An Act to amend the Manitoba Grain Act, 1900.

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 11 of *The Manitoba Grain Act*, 1900, is repealed and the following is substituted therefor :— 1900, c. 39, s. 11 amended.

"2. The said scale of fees may be amended by the Governor in Council." Fees.

2. Section 13 of the said Act is repealed and the following is substituted therefor :— New s. 13.

"**13.** If any person, 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 their duties in supervising the weighing of grain in accordance with this Act, he shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars for each offence." Penalty for interfering with weighmasters.

3. Section 30 of the said Act is amended by striking out the words "and all moneys received for such licenses shall be paid into the Manitoba Grain Inspection Fund" in the tenth and eleventh lines. Section 30 amended.

4. Section 47 of the said Act is repealed. Section 47 repealed.

No. 123.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Manitoba Grain Act, 1900.

First reading, April 16, 1901.

MR. BERNIER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 124.] **BILL.** [1901.

An Act respecting the Western Assurance Company.

WHEREAS the Western Assurance 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. 1872, c. 99; 1875, c. 81; 1887, c. 102.

1. The Western Assurance Company may own, equip, maintain, operate and navigate on the lakes and rivers of Canada, ice breakers and wreck relieving steamers and other appliances for ice breaking and wreck relieving, and may subscribe for, purchase and hold stock or shares in any company incorporated for the purpose solely, or among other things, of owning, equipping, maintaining, operating and navigating on the lakes and rivers of Canada ice breakers and wreck relieving steamers and other appliances for ice breaking and wreck relieving; provided, however, that the amount so invested by the said company shall not exceed twenty-five per cent of its paid up capital stock. Wrecking. Power to hold stock in wrecking companies.

No. 124.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Western Assurance Company.

First reading, April 18, 1901.

(PRIVATE BILL.)

MR. MCCARTHY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 125] **BILL.** [1901.

An Act respecting the British America Assurance Company.

Preamble.

WHEREAS the British America Assurance 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:—

1882, c. 99; 1893, c. 75.

Wrecking.

1. The British America Assurance Company may own, equip, maintain, operate and navigate on the lakes and rivers of Canada, ice breakers and wreck relieving steamers and other appliances for ice breaking and wreck relieving, and may subscribe for, purchase and hold stock, or shares in any company incorporated for the purpose solely, or among other things, of owning, equipping, maintaining, operating and navigating on the lakes and rivers of Canada ice breakers and wreck relieving steamers and other appliances for ice breaking and wreck relieving; provided, however, that the amount so invested by the said company shall not exceed twenty-five per cent of its paid up capital stock.

Power to hold stock in wrecking companies.

No. 125.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the British America Assurance Company.

First reading April 18, 1901.

(PRIVATE BILL.)

MR. MCCARTHY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 126.] **BILL.** [1901.

An Act to vest certain foreshores in the city of Saint John, and for other purposes.

Preamble.

WHEREAS the Common Council of the city of Saint John in the province of New Brunswick 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:—

Foreshores vested in city.

1. So much of the foreshores, hereinafter mentioned, within and adjacent to the city of Saint John as are within the legislative authority of Parliament are hereby vested in the said city, namely:—Beginning at the middle of Marsh Creek at its mouth at low water mark (and which place of beginning is the point mentioned in the description of the boundary of the said city in its charter as the intersection of the said creek by a line running south nineteen degrees west into the bay until it meets a line running east from the south point of Partridge Island) thence following the line of low water easterly until it comes to a point due west from high water mark at Red Head so called) on the east side of Courtenay Bay, thence eastwardly along said line last hereinbefore mentioned to high water mark at Red Head, thence northerly along high water mark on the easterly side of Courtenay Bay to a point where a line running north seventy degrees east from the intersection of a prolongation of the northerly line of Hanover street with the middle of Marsh Creek strikes the eastern shore of the said Courtenay Bay, thence south seventy degrees west along the said line to the middle of Marsh Creek, thence along the middle of Marsh Creek down stream to where it strikes a prolongation easterly of the northerly line of Clarence street, thence westwardly along said line of Clarence street, or said prolongation thereof, to high water, thence southerly along said line of high water to Union street, thence eastwardly along a prolongation of Union street and along the northern side of the foreshore now belonging to the said city to the middle of Marsh Creek and thence southerly following the middle of Marsh Creek to the place of beginning.

Use of foreshores.

Interference with navigation.

2. The city of Saint John may use the foreshores hereinbefore described and the foreshores owned by the said city before the passing of this Act for all purposes whatsoever, with full, continuous perpetual power and authority to the said city to interfere with navigation so far as the said city deems requisite for the full use by it of the foreshores by this Act granted to it.

Bridge over Courtenay Bay.

3. The city of Saint John, or any company authorized so to do, and with the consent of the said city, may, at any time hereafter construct, maintain and use a bridge across the said Courtenay Bay for the passage of railway trains, cars and locomotives, horses, cattle, teams, carriages, vehicles of all kinds and foot and other passengers.

Bridge over St. John harbour.

4. The city of Saint John may construct, maintain and use a bridge across the harbour of Saint John and may interfere with the navigation of the said harbour and the River Saint John to the full extent necessary, for constructing, maintaing and using the said bridge, which may be constructed and maintained so as to accommodate all modes of traffic whatsoever.

Power to levy tolls, etc.

5. The city of Saint John may, for the purpose of this Act, levy such tolls, wharfage and rates as the Common Council of the said city deems proper.

No. 126.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to vest certain foreshores in the city of Saint John, and for other purposes.

First reading, April 23, 1901.

(PRIVATE BILL.)

MR. TUCKER.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No 127.] **BILL.** [1901.

An Act to amend the Animal Contagious Diseases Act.

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

1. Section 7 of *The Animal Contagious Diseases Act*, chapter 69 of the Revised Statutes, is amended by adding the following thereto :— R.S.C., c. 69, s. 7 amended.

"Provided however that the Minister of Agriculture may, by regulation, exempt from the operation of this section the meat, skin, hide, horns, hoofs or any other part of an animal in any case where he is satisfied that the infectious or contagious disease which the animal was infected with or labouring under at the time of its death cannot be communicated or imparted by the sale, disposal, or putting off of the part exempted." Proviso : exemption by Minister in certain case.

2. The said Act is further amended by inserting the following section immediately after section 12 :— Section added.

"**12** A. In any case where an animal has been found to be infected with or labouring under an infectious or contagious disease and the animal is afterwards slaughtered while in an infected place or in quarantine, the meat of the animal may, notwithstanding anything in this Act, be sold and used for human food if, previously to such sale or use it is certified by any lawfully authorized health authority having jurisdiction in that behalf that, such meat is not affected with such disease." Sale of animal for food. Certificate required.

No. 127.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Animal Contagious Diseases Act.

First reading, April 25, 1901.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 131] **BILL.** [1901.

An Act to amend the Act respecting the Judges of Provincial Courts.

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 *Act respecting the Judges of Provincial Courts*, chapter 138 of the Revised Statutes, as enacted by section 2 of chapter 52 of the statutes of 1898, is amended by striking out the seventh, eight, ninth and tenth lines thereof and substituting therefor the following:— R.S.C., c. 138 s. 4 amended.

"Seventeen puisné judges of the said court, whose residences are fixed at Montreal or Quebec (including the judge to whom the district of Terrebonne is assigned), each.....$5,000 per annum." Salaries of judges of Superior Court, Quebec.

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

"**10.** The salaries of the judges of the Supreme Court of the North-west Territories shall be as follows:— Judges of N. W. T.

"The chief justice of the said court, $5,000 per annum; and the four puisné judges of the said court, each $4,000 per annum."

3. Section 10A of the said Act, as enacted by section 3 of chapter 52 of the statutes of 1898, is repealed and the following is substituted therefor:— New s. 10A.

"**10A.** The salaries of the judges of the circuit court of the district of Montreal shall be as follows:— Judges of Montreal Circuit Court.

"The senior judge of the said court, $3,600 per annum; and the two other judges of the said court, each $3,000 per annum."

4. Section 10B, added to the said Act by section 4 of chapter 52 of the statutes of 1898, is repealed and the following is substituted therefor:— New s. 10B.

"**10B.** The salaries of the two judges of the Territorial Court of the Yukon Territory shall be $5,000 each per annum." Judges of Yukon Territory.

No. 131.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Act respecting the Judges of Provincial Courts.

First reading, May 3, 1901.

Mr. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 132.] **BILL.** [1901.

An Act further to amend the Criminal Code, 1892.

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

1. Subsection 6 of section 205 of *The Criminal Code*, 1892, as amended by section 3 of chapter 46 of the Statutes of 1900, is amended by adding to paragraph (*c*) thereof the following words : "or any similar and duly incorporated loan, savings or investment company." 1892, c. 29, s. 205 amended.

No. 132.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to further amend the Criminal Code, 1892.

First reading, May 3, 1901.

Mr. Bruneau.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 133.] **BILL.** [1901.

An Act respecting pensions to Officers of the Permanent Staff and Officers and Men of the Permanent Militia, and for other purposes.

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 Militia Pension Act*, 1901.

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

"Minister." (*a.*) The expression "Minister" means the Minister of Militia and Defence;

"Force." (*b.*) The expression "Force" means and includes the permanent staff of the militia, and officers, non-commissioned officers and men of the permanent militia corps;

"Officer." (*c.*) The expression "Officer" means a commissioned officer of the force, and includes a warrant officer;

"Permanent staff." (*d.*) The expression "Permanent Staff" includes officers of the head-quarters' staff, officers of the district staff, and officers in charge of military stores;

"Militiaman." (*e.*) The expression "Militiaman" means and includes non-commissioned officers and privates of the force;

"Rank." (*f.*) The expression "Rank" means substantive rank;

"Service." (*g.*) The expression "Service" means service on the force.

PENSIONS TO OFFICERS.

Rates of pension to officers. **3.** An officer who is retired compulsorily, for any cause other than misconduct or inefficiency, after twenty years' service, shall be entitled to a pension for life, not exceeding one-fiftieth of the pay and allowances of his rank or permanent appointment at the time of his retirement for each completed year of service.

In case of voluntary retirement after 25 years' service. 2. An officer who retires voluntarily after twenty-five years' service shall be entitled to a pension for life, twenty per cent less than he would be entitled to if he were retired compulsorily.

After 35 years. 3. An officer who retires voluntarily after thirty-five years' service shall be entitled to the same pension as if he were retired compulsorily.

Maximum rate. 4. No addition shall be made to such pension for any service beyond thirty-five years.

Breaks in service not to be counted. 5. If the service has not been continuous, the period or periods during which such service has been discontinued shall not be counted.

Officer's service as militiaman may be reckoned.

6. In the case of an officer who, before becoming one, has served as a non-commissioned officer or private, the time during which he has so served may be included in his term of service for the purpose of this Act, subject to the provisions of subsection 2 of section 5.

Pension conditional on satisfactory conduct.

4. An officer shall not have any right to a pension or gratuity unless the Minister is satisfied with the manner in which he has performed his duties.

Deductions from pay.

5. A deduction towards making good the pensions hereinbefore mentioned shall be made from the pay of every officer at the rate of five per cent per annum on such pay; but such deduction shall not be made during more than thirty-five years of service.

In case deductions have not been made for sufficient number of years.

2. If an officer becomes entitled to a pension, and the deduction from his pay provided for in this section has not been made for as great a number of years as that upon which his pension is based, the aggregate amount of pay received by him during the years for which no such deduction has been made shall be divided by the number of such years for the purpose of ascertaining the average pay of such officer during such years, and a deduction shall be made from the pension of such officer at the rate of five per cent upon such average pay, and such deduction shall continue to be made until the expiration of the number of years last mentioned or the cessation of the payment of the pension, whichever shall first happen; Provided that, if the officer thinks fit, the deficiency in the deduction may be made good by him in one payment

Consolidated Revenue Fund.

3. The sums deducted under this section shall form part of the Consolidated Revenue Fund of Canada.

Gratuity when pension not earned.

6. If any officer is constrained, from any infirmity of body or mind, to quit the force before a period at which a pension might be granted to him, the Minister may, on the recommendation of a board composed of three officers of rank not lower than that of major, selected by the General Officer Commanding, allow him a gratuity not exceeding one month's pay for each year of his service; and if any such officer is so constrained to quit the service before such period by reason of severe bodily injury, received without his own fault, in the discharge of his public duty, the Minister may, on the recommendation of such board, allow him a gratuity not exceeding three months' pay for every two years' service.

Gratuity in case of severe injury on duty.

Gratuity in case of reduction of staff, etc.

7. If an officer is removed or retired to promote efficiency or economy in the service, the Minister may, on the recommendation of such board as in the next preceding section mentioned, grant him such gratuity as he would have been entitled to if he had been retired in consequence of permanent infirmity of body or mind.

PENSIONS TO NON-COMMISSIONED OFFICERS AND MEN.

Militiamen who shall be entitled to pensions.

8. Subject to the provisions of this Act, every militiaman,

(*a*) If he has completed not less than twenty years' service, shall be entitled to retire and receive a pension for life; and

(*b*) If he has completed not less than fifteen years' service, and is incapacitated for the performance of his duty by infirmity of mind and body, shall be entitled to retire and receive a pension for life.

Return to service.

2. But any such militiaman who receives a pension under this section before he has completed twenty years' service shall be subject to return to service, as provided by this Act, if he ceases to be incapacitated.

Scale of pensions.

9. The pension to a militiaman on retirement shall be according to the following scale, that is to say :—

(*a*) If he has completed fifteen but less than twenty years' service, an annual sum equal to one-fiftieth of his annual pay for every completed year of service ;

(*b*) If he has completed twenty but less than twenty-five years' service, an annual sum equal to twenty-fiftieths of his annual pay, with an addition of two-fiftieths of his annual pay for every completed year of service above twenty years ;

(*c*) If he has completed twenty-five years' service, an annual sum equal to thirty-fiftieths of his annual pay, with an addition of one-fiftieth of his annual pay for every completed year of service above twenty-five years, so, however, that the pension shall not exceed two-thirds of his annual pay at his retirement.

Reckoning of time of service.

10. For the purposes of estimating a pension to a militiaman—

(*a.*) If the service has not been continuous, the period or periods during which such service has been discontinued shall not be counted ;

(*b.*) The annual pay of a militiaman at the date of retirement shall be deemed to be the average annual amount of pay, exclusive of extra pay or allowances, received by him during the three years next preceding such retirement, and not the annual amount actually received by him at that date.

Certificate from board.

11. No pension shall be granted to any militiaman unless a board composed of three officers, the rank of one of whom shall be not lower than that of major, has certified to his length of service and conduct, and that evidence has been adduced before it which justifies the granting of a pension under this Act.

When militiaman may be required to retire.

12. When any militiaman has completed a service of twenty years, the General Officer Commanding, upon the recommendation of such a board, may, with the approval of the Minister, require him to retire upon the terms as to pensions prescribed by this Act.

Certificate from medical board in case of incapacity.

13. Before a pension is granted to a militiaman who, after served for less than twenty years, retires on the ground of his being incapacitated by infirmity of mind or body for the discharge of his duty, a medical board composed of the senior surgeon of the battery, squadron or regiment of which such militiaman is a member, and two other legally qualified medical practitioners, shall certify that such militiaman is so incapacitated, and that the incapacity is likely to be permanent ; and afterwards, until the power under this Act of requiring the

militiaman to serve again ceases, he shall, when required, furnish satisfactory evidence, certified by a legally qualified medical practitioner, that such incapacity continues.

If incapacity ceases.

2. In the event of such incapacity ceasing before the expiration of such time as would, together with the period of service prior to his retirement, make up a period of twenty years, the militiaman shall be liable to serve again in the force; and if before the expiration of the said time, he declines so to serve, or if when serving again he neglects to perform his duty satisfactorily, being in a competent state of health, he shall forfeit his pension.

Retirement after renewed service.

3. A militiaman so serving again shall be entitled to retire at the same time as he would be entitled to do if the time which elapsed between his retirement and the renewal of his service were service, but the time so elapsed shall not be reckoned as service in calculating his pension on his retirement.

Failure or refusal to be examined.

4. If a militiaman fails or refuses, when required, to be examined by a legally qualified medical practitioner, the Minister shall have the same power of requiring such militiaman to serve again, and, with the approval of the Governor in Council, of declaring forfeited the pension of such militiaman, as he would have under this section, if satisfied by the evidence of a legally qualified medical practitioner that the incapacity of such militiaman had ceased.

Contributory negligence, etc.

14. When a pension is granted to a militiaman on account of infirmity of mind or body, and such infirmity is certified, by a medical board constituted as in the next preceding section mentioned, to have been brought about or contributed to by his own fault, or by his vicious habits, and such militiaman is entitled under this Act to a pension of a fixed amount, the Governor in Council may grant to him a less amount of pension than the said fixed amount to which he would otherwise have been entitled.

Forfeiture in cases specified.

15. A pension to a militiaman shall be granted only upon condition that it becomes forfeited, and may be withdrawn in any of the following cases:—

(*a*) If the grantee is convicted of an indictable offence, or—

(*b*) If the grantee knowingly associates with thieves or suspected persons; or—

(*c*) If the grantee refuses to give to the police any information and assistance in his power for the detection of crime, for the apprehension of criminals, or for the suppression of a disturbance of the peace.

Obtaining pension by false pretences.

16. Every militiaman who obtains a pension under this Act by any false representation or false evidence, or by personation, or by malingering or feigning disease or infirmity, or by maiming or injuring himself, or causing himself to be maimed or injured, or otherwise producing disease or infirmity, or by any other fraudulent conduct, is liable to imprisonment, with or without hard labour, for a period not exceeding twelve months, or to a fine not exceeding one hundred dollars, and shall forfeit the pension obtained.

Penalty.

Procedure summary.

2. Any offence against this section may be prosecuted in a summary manner under Part LVIII of *The Criminal Code*, 1892.

Provision for Officers' Wives and Children.

Provision for officers' wives and children.

17. Subject to the provisions hereinafter contained, the Governor in Council may, as to him seems fit, grant a pension to the widow and a compassionate allowance to each of the children of any officer who, having completed twenty years' service, was at the time of his death either on full pay or in receipt of a pension.

When shall not be granted.

18. Such pension or compassionate allowance shall not be granted in the following cases:—

(*a*) If the applicant is, in the opinion of the Minister, unworthy of it;

(*b*) If the applicant is already, in the opinion of the Minister, wealthy;

(*c*) If the deceased officer had been excused, at his own request, from serving, though capable of service, when called upon and required to serve, after having been officially warned that his family would thereby lose all claims to pension and compassionate allowance;

(*d*) If the officer married after retirement;

(*e*) If the officer was at the time of his marriage over sixty years of age;

(*f*) In the case of an officer who married after the first day of July, nineteen hundred and one, if he was more than twenty-five years older than his wife;

(*g*) If the officer died within one year after his marriage, unless he was manifestly in good health at the time of his marriage, and his death was caused by disease or injury not due to causes within his own control, and the Minister is satisfied that there are no other objections to the granting of the pension or compassionate allowance.

Rates of pension to widows.

19. The pension to a widow shall be as follows:—the widow of a colonel, five hundred dollars; of a lieutenant-colonel, four hundred and fifty dollars; of a major, three hundred and fifty dollars; of a captain, two hundred and fifty dollars; of a lieutenant or second lieutenant, two hundred dollars; of a warrant officer, one hundred dollars.

Rates of allowance to children.

20. The compassionate allowance to a child shall be as follows:—the child of a colonel or lieutenant-colonel, eighty dollars; of a major, seventy dollars; of a captain, sixty-five dollars; of a lieutenant or second lieutenant, fifty dollars; of a warrant officer, twenty-five dollars.

If children are in great need.

2. If the child is motherless and, in the opinion of the Minister, in great need, the allowance shall be double that fixed by this section.

Amount to family limited.

21. The total amount paid to the widow and children of an officer during any year shall not exceed the amount of the pension which the officer was in receipt of or to which he would have been entitled, as the case may be.

Discontinuance of pension, etc.

22. A widow's pension or a child's compassionate allowance, shall be discontinued if she or it becomes unworthy of it, or becomes wealthy.

If widow remarries.

2. If the widow remarries, her pension shall be suspended from the day following that of her remarriage; but, in the event of her again becoming a widow, her pension may be restored, if she is otherwise qualified.

If widow fails to establish claim.

3. If, through her own neglect or omission, the claim of a widow to pension is not established before her death, the amount of pension which she might have received, if living, shall not be allowed her representatives.

No allowance to son over 18, or daughter over 21 or married.

23. The compassionate allowance to officers' children shall not be granted to a son over the age of eighteen, nor to a daughter over the age of twenty-one; and such allowance shall cease when the son reaches the age of eighteen, and when the daughter reaches the age of twenty-one or marries.

Time of payment.

24. Pensions and compassionate allowances to officers' wives and children shall be paid from the day following that of the officer's death to the thirtieth day of June next ensuing; and subsequent payments shall be made yearly in advance from the first of July in each year.

Militia Regulations, 1898.

25. Nothing herein contained shall affect the provisions of articles 342 to 356, both included, of Part III of the Regulations and Orders for the Militia of Canada issued in 1898, with respect to pensions and allowances to members of the families of officers or soldiers killed in action or dying from wounds received in action.

No. 133.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting pensions to Officers of the Permanent Staff and Officers and Men of the Permanent Militia, and for other purposes.

First reading, May 3, 1901.

Mr. Borden (King's).

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 135.] **BILL.** [1901.

An Act respecting the Great Northern Railway of Canada.

Preamble.

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

Bonds to rank equally.

1892, c. 40, s. 13.

1. Notwithstanding the provisions of section 13 of chapter 40 of the statutes of 1892, the bonds issued by the Great Northern Railway of Canada, hereinafter called "the Company," secured upon its railway, exclusive of the bridge over the Ottawa River, by indenture of trust and mortgage, dated the first day of January, nineteen hundred, between the Company of the one part and the Central Trust Company of New York of the other part, and designated as Series A, and the bonds issued by the Company secured upon the bridge built over the Ottawa River, by deed of trust and mortgage, dated the first day of January, nineteen hundred, between the Company of the one part and the Central Trust Company of New York of the other part, and designated as Series B, shall all rank equally, *pari passu*, both upon the railway of the Company and the bridge over the Ottawa River, and the revenues of both the railway and bridge shall be treated and considered as one security for all the bonds of both Series A and B.

Sale by trustee for bondholders on default by Company.

2. The trustee for the holders of bonds Series A and B may, in the event of default by the Company, sell the railway and the bridge over the Ottawa River together for one price which shall be distributed amongst the holders of bonds of the railway Series A and B, without distinction, in proportion to their respective holdings, and if the railway or the bridge be sold separately, the holders of bonds Series A and B, without distinction, will be entitled to rank upon the price realized in the proportion of their holdings respectively.

No. 135.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Great Northern Railway of Canada.

First reading, May 7, 1901.

(PRIVATE BILL.)

MR. MCCARTHY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 136.] **BILL.** [1901.

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:—

Directors of insolvent railway company may file scheme of arrangement in Exchequer Court.

1. Where a company is unable to meet its engagements with its creditors, the directors may prepare a scheme of arrangement between the company and its creditors (with or without provisions for settling and defining any rights of shareholders of the company as among themselves, and for raising, if necessary, additional share and loan capital, or either of them), and may file it in the Exchequer Court of Canada (hereinafter called "the court") with a declaration in writing under the common seal of the company to the effect that the company is unable to meet its engagements with its creditors, and with an affidavit of the truth of such declaration made by the president and directors, or by a majority of the president and directors, of the company, to the best of their respective judgment and belief.

Effect of filing.

2. After the filing of the scheme, the court may, on the application of the company on summons or motion in a summary way, restrain any action against the company on such terms as the court thinks fit.

Notice of filing.

3. Notice of the filing of the scheme shall be published in the *Canada Gazette*.

Effect of notice.

4. After such publication of notice, no execution, attachment, or other process against the property of the company shall be available without leave of the court, to be obtained on summons or motion in a summary way.

Assent of bondholders.

5. The scheme shall be deemed to be assented to by the holders of mortgages or bonds issued under the authority of *The Railway Act* or any amendment thereto, or under the authority of any special Act relating to the company, when it is assented to in writing by three-fourths in value of the holders of such mortgages or bonds, and shall be deemed to be assented to by the holders of debenture stock of the company when it is assented to in writing by three-fourths in value of the holders of such stock.

Assent of holders of rent charges, etc.

6. Where any rent charge or other payment is charged on the receipts of or is payable by the company in consideration of the purchase of the undertaking of another company, the

scheme shall be deemed to be assented to by the holders of such rent charge or other payment when it is assented to in writing by three-fourths in value of such holders.

Assent of guaranteed and preference shareholders.

7. The scheme shall be deemed to be assented to by the guaranteed or preference shareholders of the company when it is assented to in writing as follows:—If there is only one class of guaranteed or preference shareholders, then by three-fourths in value of that class; and if there are more classes of guaranteed or preference shareholders than one, then by three-fourths in value of each such class.

Assent of ordinary shareholders.

8. The scheme shall be deemed to be assented to by the ordinary shareholders of the company when it is assented to by a special general meeting of the company specially called for that purpose.

Assent of lessors, if company is lessee of railway.

9. Where the company is lessee of a railway, the scheme shall be deemed to be assented to by the leasing company when it is assented to as follows:—

(*a.*) In writing by three-fourths in value of the holders of mortgages, bonds, and debenture stock of the leasing company;

(*b.*) If there is only one class of guaranteed or preference shareholders of the leasing company, then in writing by three-fourths in value of that class, and if there are more classes of guaranteed or preference shareholders in the leasing company than one, then in writing by three-fourths in value of each such class;

(*c.*) By the ordinary shareholders of the leasing company at a special general meeting of that company specially called for that purpose.

When assent is required.

10. The assent to the scheme of any class of holders of mortgages, bonds or debenture stock, or of any class of holders of a rent charge or other payment as aforesaid, or of any class of guaranteed or preference shareholders, or of a leasing company, shall not be requisite in case the scheme does not prejudically affect any right or interest of such class or company.

Application for confirmation of scheme.

11. If at any time within three months after the filing of the scheme, or within such extended time as the court from time to time thinks fit to allow, the directors of the company consider the scheme to be assented to as by this Act required, they may apply to the court by petition in a summary way for confirmation of the scheme.

Notice.

2. Notice of any such application, when intended, shall be published in the *Canada Gazette*.

Confirmation by court.

12. After hearing the directors, and any creditors, shareholders, or other persons whom the court thinks entitled to be heard on the application, the court, if satisfied that the scheme has been, within three months after the filing of it, or such extended time as the court has allowed, assented to as required by this Act, and that no sufficient objection to the scheme has been established, may confirm the scheme.

Enrolment.

13. The scheme when confirmed shall be enrolled in the court, and thenceforth it shall be binding and effectual to all intents, and the provisions thereof shall, against and in favour of the company and all persons assenting thereto or bound thereby, have the like effect as if they had been enacted by Parliament.

Notice.

14. Notice of the confirmation and enrolment of the scheme shall be published in the *Canada Gazette*.

Copies of scheme to be obtainable.

15. The company shall at all times keep at its principal or head office printed copies of the scheme, when confirmed and enrolled, and shall sell such copies to all persons desiring to buy them at a reasonable price, not exceeding ten cents for each copy.

Penalty.

2. If the company fails to comply with this provision it shall be liable to a penalty not exceeding one hundred dollars, and to a further penalty not exceeding twenty dollars for every day during which such failure continues after the first penalty is incurred.

Rules of court.

16. The judge of the court may make general rules for the regulation of the practice and procedure of the court under this Act, which rules shall have force and effect when they are approved by the Governor in Council.

Construction of Act.

17. This Act shall be read and construed as if it were embodied in and formed part of *The Railway Act*, chapter 29 of the statutes of 1888.

No. 136.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Railway Act.

First reading, May 9, 1901.

Mr. Fitzpatrick.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

[No. 137.] **BILL.** [1901.

An Act to amend the Act respecting the Department of Public Printing and Stationery.

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

Advances to King's Printer.

1. The Minister of Finance and Receiver General may from time to time authorize the advance to the King's Printer, out of the Consolidated Revenue Fund of Canada, of such sums of money as the said King's Printer requires to enable him to purchase material for the execution of orders given or requisitions made under the provisions of the *Act respecting the Department of Public Printing and Stationery* or of Acts in amendment thereof, and to pay the wages of workmen engaged in the execution of such orders or requisitions, before such orders or requisitions are completed and are paid for by the Senate or House of Commons or the Department of the Government of Canada giving them: Provided that the sums so advanced shall not at any time exceed two hundred thousand dollars.

R.S.C., c. 27; 1888, c. 17; 1893, c. 15.

Limitation.

No. 137.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Act respecting the Department of Public Printing and Stationery.

First reading, May 10, 1901.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 138.] **BILL.** [1901.

An Act to provide for a further annual allowance 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 :—

Annual allowance of $30,000 to Prince Edward Island.

1. From and after the first day of July, one thousand nine hundred and one, there shall be paid to the Province of Prince Edward Island, in addition to all sums now authorized by law, an annual allowance of thirty thousand dollars, which allowance shall become payable and be paid to the said province half-yearly on the first day of July and the first day of January in every year, beginning with the said first day of July, one thousand nine hundred and one, such allowance to be paid and accepted in full settlement of all claims of the said Province against the Dominion of Canada on account of alleged non-fulfilment of the terms of union between the Dominion and the said province as respects the maintenance of efficient steam communication between the Island and the mainland.

No. 138.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to provide for a further annual allowance to the Province of Prince Edward Island.

First reading, May 10th, 1901.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 139.] **BILL.** [1901.

An Act to amend the Gas Inspection Act.

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

R.S.C., c. 101, section added.

1. *The Gas Inspection Act*, chapter 101 of the Revised Statutes, is amended by inserting the following section immediately after section 13 :—

Unauthorized testing of meter.

"**13A.**" No meter after it has been fixed for use shall be verified or tested by any person except by the inspector as herein provided."

Section 19 amended.

2. Section 19 of the said Act is amended by adding thereto the following subsection :—

Rebate in case of variation of meter.

"2. In the event of an inspected meter being found, on re-inspection, to vary from the standard, the contractor or the purchaser, as the case may be, shall only be entitled, in estimating any rebate, to the gain or loss, as the case may be, which has taken place during the three months immediately prior to such re-inspection."

Section added.

3. The said Act is further amended by inserting the following section immediately after section 44 :—

Penalty for unauthorized testing.

"**44A.** Every person, except the inspector herein provided, who verifies or tests, or causes to be verified or tested, any meter after it has been fixed for use shall incur a penalty of twenty-five dollars for every meter so verified or tested."

No. 139.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Gas Inspection Act.

First reading May 14, 1901.

Mr. Bernier.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 140. **BILL.** [1901.

An Act to amend the Electric Light Inspection Act.

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

1894, c. 39, s. 2 amended.

1. Section 2 of *The Electric Light Inspection Act*, chapter 39 of the statutes of 1894, is amended by adding thereto the following paragraph :—

"Inspector" defined.

"(*g*) The expression 'inspector' means an inspector appointed under this Act by the Department."

Section 14 amended.

2. Section 14 of the said Act is amended by adding thereto the following subsection :—

Unauthorized testing.

"2. No meter after it has been fixed for use shall be verified or tested by any person except by the inspector as herein provided."

New s. 16.

3. Section 16 of the said Act is repealed and the following is substituted therefor :—

Accuracy of meter.

"**16.** No meter shall be stamped which is found by the inspector to register quantities varying from the legal standard unit of electricity more than three per cent in favour of either the contractor or the purchaser."

Section 19 amended.

4. Section 19 of the said Act is amended by adding thereto the following subsection :—

Rebate in case of variation of meter.

"2. In the event of an inspected meter being found, on re-inspection, to vary from the standard, the contractor or the purchaser, as the case may be, shall only be entitled, in estimating any rebate, to the gain or loss, as the case may be, which has taken place during the three months immediately prior to such re-inspection."

Section 21 amended.

5. Section 21 of the said Act is amended by adding thereto the following subsection :—

Inspection of disputed meter.

"3. During the inspection of any disputed meter, the contractor or purchaser may be present, by himself or his agent authorized in writing ; and twenty-four hours' notice of the inspection shall be given, by the inspector or person at whose request the inspection is made, to the other party."

Section added.

6. The said Act is amended by inserting therein the following section immediately after section 32 :—

Penalty for unauthorized testing.

"**32** A. Every person except the inspector as herein provided, who verifies or tests, or causes to be verified or tested,

any meter after it has been fixed for use shall incur a penalty of twenty-five dollars for every meter so verified or tested."

New s. 37.

7. Section 37 of the said Act is repealed and the following is substituted therefor:—

Regulations.

"**37.** The Governor in Council may establish rules and regulations

"(*a*) For the testing of electric light lamps for illuminating power;

"(*b*) For instituting tests to determine what style or make of meter shall be used to measure the quantity of electrical energy supplied;

"(*c*) For determining a standard or standards for arc lighting; and

"(*d*) Such other regulations, not inconsistent with this Act, as are necessary for giving effect to its provisions and for declaring its true intent and meaning in all cases of doubt."

No. 140.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL

An Act to amend the Electric Light Inspection Act.

First reading, May 14, 1901.

Mr. BERNIER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 141.] **BILL.** [1901.

An Act further to amend the Act relating to Ocean Steamship Subsidies.

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

1889, c 2, and 1896, (2nd sess.) c. 3 amended.

1. Section 4 of chapter 2 of the statutes of 1889, intituled *An Act relating to Ocean Steamship Subsidies*, as enacted by section 1 of chapter 3 of the statutes of 1896 (first session), is repealed and the following is substituted therefor:—

Steamship service between Canada and France.

"**4.** The Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a steamship service between a port or ports in Canada and a French port, on such terms and conditions as the Governor in Council deems expedient, and may grant therefor a subsidy not exceeding one hundred thousand dollars a year, based upon a minimum service of eighteen round voyages a year and a subsidy therefor not exceeding fifty thousand dollars, and so in proportion for a more frequent service."

No. 141.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act further to amend the Act relating to Ocean Steamship Subsidies.

First reading, May 14, 1901.

Sir R. CARTWRIGHT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

[No. 142.] **BILL.** [1901.

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 :—

$1,000,000 may be advanced to Montreal Harbour Commissioners.

1. 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 authorized to be advanced to the Corporation by the Governor in Council by chapter 10 of the statutes of 1896 (first session) and by chapter 47 of the statutes of 1898, such sums of money, not exceeding in the whole the sum of one million dollars, as are required to enable the Corporation to construct such grain elevators and other terminal facilities as are necessary to properly equip the port of Montreal.

Plans of works to be submitted.

2. No such advances shall be made 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 Minister of Public Works.

Debentures to be deposited with Minister of Finance.

3. The Corporation shall, upon any advance being madel, deposit with the Minister of Finance and Receiver Generadebentures of the Corporation equal to par value to the advance so made (which debentures the Corporation are 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 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.

Charge on Revenue.

4. The principal and interest of the sums advanced under the authority of this Act to the Corporation shall 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.

No. 142.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

First reading, May 15th, 1901.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 143.] **BILL.** [1901.

An Act respecting the Ottawa Branch of the Royal Mint.

WHEREAS it has been deemed expedient to make permanent provision in Canada for maintaining the establishment of the Ottawa Branch of the Royal Mint: 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 Ottawa Mint Act*, 1901. Short title.

2. There shall be payable to His Majesty in every year, out of the Consolidated Revenue Fund of Canada, a sum or sums not exceeding in the whole in any year seventy-five thousand dollars, for defraying the salaries, contingencies, retiring and other allowances and expenses connected with the maintenance of the Ottawa Branch of the Royal Mint: Provided that such yearly payments shall take effect and begin to run on the day upon which a Proclamation issued in England by His Majesty is duly published in Canada, directing that a branch of the Royal Mint be established at or near Ottawa. Yearly payment of $75,000 for branch of royal mail. When payments shall commence.

3. The said sums of money shall be paid by the Minister of Finance and Receiver General to such persons, and at such times, and in such manner as the Lords Commissioners of His Majesty's Treasury direct; and the Minister of Finance and Receiver General shall account to His Majesty for the said sums through the said Lords Commissioners in such manner and form as His Majesty is pleased to direct. Mode and time of payment. Accounting to the Treasury.

4. From and after the day on which the aforesaid yearly payments commence, all sums, by way of fees, dues or charges, lawfully received or collected at the Ottawa Branch shall be from time to time accounted for and paid over by the Deputy Master, or other proper officer of the said Branch, to the said Minister of Finance and Receiver General, to be by him paid into the Consolidated Revenue Fund of Canada. How fees shall be dealt with.

No. 148.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act respecting the Ottawa Branch of the Royal Mint.

First reading, May 17, 1901.

Mr. Fielding.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

No. 145.] **BILL.** [1901.

An Act to further 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:—

Traffic facilities to be afforded under 1888, c. 29, s. 240.

1. The facilities to be afforded under section 240 of *The Railway Act* shall include the due and reasonable receiving by every company of through traffic at the request of any carrier thereof, or of any company or person interested therein, at any station, wharf or place where the company accepts or delivers traffic, or at which it is reasonable that it should accept or deliver traffic, and the due and reasonable forwarding and delivering of such traffic to the point of destination at a through rate, toll or fare over its own line of railway, and any other railway line with which it has immediate connection, but only when the company is reasonably able to fix such rate.

No. 145.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to further amend the Railway Act.

First reading, May 18, 1901.

MR. BLAIR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 146.] **BILL.** [1901.

An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

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

Interpretation: "cost."

1. In this Act, unless the context otherwise requires, the 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 any bonus, but shall not include the cost of terminals and 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 of the Minister of Railways and Canals, and upon the Report of the Chief Engineer of Government Railways, 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, 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.

Cost, how determined.

Subsidies authorized.

2. The Governor in Council may grant a subsidy of $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 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 Sunnybrae to Country Harbour, Nova Scotia, and from a point on the Intercolonial at or near New Glasgow to Country Harbour Cross Roads and to Guysborough, in lieu of the subsidies granted by 1897, chap. 4, and 1899, cap. 7, sec. 2, paragraph 34, not exceeding 80 miles..... $256,000 00

2. To the Quebec and New Brunswick Railway Company, for a line of railway from a point at or near St. Charles or at or near Chaudière Junction or a point on the Quebec Central Railway, near St. Anselme, Quebec, towards the present terminus of the St. Francis Branch of the Témiscouata Railway, New Brunswick, not exceeding 45 miles, and for a line of railway from the mouth of the St. Francis River, New Brunswick, westerly towards Chaudière Junction, not exceeding 15 miles, in lieu of the subsidy granted by 1900, cap. 8, sec. 2, paragraph 23 ; also for a line of railway in extension of the St. Francis Branch of the Témiscouata Railway to the mouth of the St. Francis River, New Brunswick, in lieu of the subsidy granted by 1899, chap. 7, sec. 2, paragraph 43, not exceeding 3 miles; in all not exceeding 63 miles..... 201,600 00

3. To the Montreal and Province Line Railway Company, for a line of railway from Farnham, Quebec, to Frelighsburg, in lieu of the subsidy granted by 1900, cap. 8, sec. 2, paragraph 37, not exceeding 19 miles.. 60,800 00

4. For a line of railway from a point on the Intercolonial Railway at or near Windsor Junction to Upper Musquodoboit, in lieu of 1897, cap. 4, sec. 2, paragraph 23, not exceeding 40 miles..... 128,000 00

5. For a line of railway from Pubnico, Nova Scotia, to Port Clyde or Clyde River, in lieu of the unexpended balance of subsidy granted by 1897, cap.4, sec. 2, paragraph 29, not exceeding 31 miles..... 99,200 00

6. To the Toronto, Lindsay and Pembroke Railway Company, for a line of railway from the western terminus of the 20 miles subsidized by 1899, cap. 7, sec. 2, paragraph 47, westerly towards Bancroft, not exceeding 20 miles, in lieu of the subsidy granted by 1900, cap. 8, sec. 2, paragraph 3 ; also from the terminus of previously subsidized lines at a point about 40 miles west of Golden Lake, westerly to Bancroft, not exceeding 11 miles; in all not exceeding 31 miles.... 99,200 00

7. For a line of railway from Chipman Station, New Brunswick, to Gibson, in lieu of the subsidies granted by 1897, cap. 4, and 1899, cap. 7, sec. 2, paragraph 31, not exceeding 45 miles..... 144,000 00

8. To the Inverness and Richmond Railway Company, for a line of railway from a point at or near Point Tupper on the Intercolonial Railway, to Broad Cove and

Cheticamp, Nova Scotia, in lieu of the subsidies granted by 1897, cap. 4, 1899, cap. 7, sec. 2, paragraph 29, and 1900, cap. 8, sec. 2, paragraph 27, not exceeding 98 miles 313,600 00

9. For a line of railway from Caplin to Paspebiac, Quebec, in lieu of the subsidy granted by 1899, cap. 7, sec. 2, paragraph 15, the subsidy contract to be entered into with the trustees or receivers under mortgage from the Atlantic and Lake Superior Railway Company, and to contain the conditions that the subsidy when earned shall be paid in the following manner :—

1st. To the Hamilton Bridge Works Company in payment for bridge superstructures on the said section of railway, when furnished and erected by that company, not to exceed $35,000 ;

2nd. For the completion of the road-bed and works incidental thereto ;

3rd. Towards payment of overdue balances, pro rata, in settlement of claims for labour, boarding-house claims, and material and supplies furnished in connection with the construction of the said section of railway ; in all not exceeding 30 miles. 96,000 00

19. To the Schomberg and Aurora Railway Company, for a line of railway from a point on the Grand Trunk Railway between King and Newmarket, Ontario, to Schomberg, in lieu of the subsidy granted by 1897, cap. 4, not exceeding 15 miles..... 48,000 00

11. To the Ottawa and Gatineau Railway Company, for a line of railway from the end of the 62nd mile subsidized, towards Désert, in lieu of the subsidy granted by 1897, cap. 4, sec. 2, paragraph 5, not exceeding 20 miles..... 64,000 00

12. To the Restigouche and Western Railway Company, for its line of railway from Campbellton on the Intercolonial Railway, New Brunswick, towards Grand Falls, in lieu of the subsidy granted by 1897, cap. 4, sec. 2, paragraph 10, not exceeding 20 miles 64,000 00

13. To the Pontiac Pacific Junction Railway Company, for 36 miles of its railway from a point at or near Shawville, crossing the Ottawa River via Calumet Island to Pembroke, including the bridging of both channels of the Ottawa River at Calumet Island, 14 miles of which shall be in lieu of the unexpended balance of subsidy granted by 1897, cap. 4, sec. 3, paragraph 2, not exceeding 115,200 00

14. To the Manitoulin and North Shore Railway Company, for its line of railway, from a point on its line of railway between Sudbury and Little Current to its junction with the line of the Algoma Central and Hudson Bay Railway, at or near Goulais River, in addition to and in further extension of its railway subsidized by 1900, cap. 8, sec. 2, paragraph 6, an additional mileage not exceeding 130 miles..... 416,000 00

15. For a line of railway from Grandigue Ferry, Nova Scotia, to Arichat, not exceeding 8 miles..... ..... 25,600 00

16. To the Central Ontario Railway Company, for a further extension of its line of railway, subsidized by 1900, cap. 8, sec. 2, paragraph 5, northward, to a junction with the Canada Atlantic Railway, at or near Whitney, Ontario, not exceeding 20 miles..... .... 64,000 00

17. To the Kingston and Pembroke Railway Company, for a line of railway from a point at or near Sharbot Lake, Ontario, via Lanark, to Carleton Place, not exceeding 41 miles..... ..... 131,200 00

18. To the Norwood and Apsley Railway Company, for a line of railway from Norwood, Ontario, to the Village of Apsley, not exceeding 30 miles..... 96,000 00

19. For a line of railway from a point on the Dominion Atlantic Railway at or near Wolfville, Nova Scotia, to the Government pier on the Basin of Minas, not exceeding one mile..... 3,200 00

20. To the Algoma Central and Hudson Bay Railway Company, for a line of railway from Sault Ste. Marie to a point on the Canadian Pacific Railway at or near White River, in the District of Algoma, in extension of the subsidy granted to the Algoma Central Railway by 1899, cap. 8, sec. 2, paragraph 23, and by 1900, cap. 8, sec. 2, paragraph 4, a further and additional mileage not exceeding 135 miles 431,000 00

21. For a line of railway from Bridgetown, Nova Scotia, to Middleton, in extension of the line subsidized by 1900, cap. 8, sec. 2, paragraph 28, not exceeding 11 miles..... 35,200 00

22. For a line of railway from a point on the Grand Trunk Railway at or near Burk's Falls, Ontario, to the Maganetawan River, not exceeding two miles..... 6,400 00

23. For a line of railway between Halifax and the Central Railway, Nova Scotia, from the end of the 40th mile from Halifax subsidized by 1900, cap. 8, sec. 2, paragraph 40, to a junction with the Central

Railway, Nova Scotia, not exceeding 30 miles..... $ 96,000 00

24. For a line of railway from a point on the Algoma branch of the Canadian Pacific Railway at or near Bruce Lake Station, northerly to a point at or near Rock Lake, in the District of Algoma, not exceeding 9 miles..... 28,800 00

25. For a line of Railway from Roberval, Quebec, westward toward James Bay, not exceeding 60 miles..... 192,000 00

26. For a line of railway from a point upon the Stonewall branch or the Selkirk branch of the Canadian Pacific Railway to Icelandic River by way of Gimli, not exceeding 35 miles..... 112,000 00

27. To the Restigouche and Western Railway Company, for an extension of its line of railway from the 50th mile from Campbellton already subsidized, westward, to effect a junction with its line of railway subsidized 27 miles east from the St. John River, not exceeding 33 miles..... 99,600 00

28. For a line of railway from Duncan Lake towards Lardo or Arrow Lake, British Columbia, or from Lardo to Arrow Lake, in lieu of the subsidy granted by 1900, cap. 8, sec. 2, paragraph 21, not exceeding 30 miles 96,000 00

Subsidy authorized.

3. The Governor in Council may grant to the Ottawa and Gatineau Railway Company, for its unearned balance of subsidy upon the 62 miles of its line of railway from Hull towards Désert, granted by 1897, chap. 4, sec. 3, paragraph 3, a sum not exceeding $35,872.

How subsidies shall be paid.

4. The subsidies hereby authorized, and any subsidies heretofore authorized under any Act of the Parliament of Canada still in force but not fully paid, towards the construction of any railway or bridge, shall be payable out 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

(*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 progress estimates on the certificate of the Chief Engineer of Government Railways, 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 sixty thousand dollars; or

(*d*) with respect to (*b*) and (*c*), part one way, part the other.

As to subsidy to Manitoulin and North Shore Ry. Co.

5. The subsidy of 66 miles granted to the Manitoulin and North Shore Railway Company for a line of railway between Little Current, on Manitoulin Island, and Sudbury, Ontario, by paragraph 6 of section 2 of chapter 8 of the statutes of 1900, may be contracted for with the company and paid, and the work may be begun and prosecuted in two sections, the first beginning at or near Victoria Mines, in the township of Denison, and extending to Sudbury, and thence north-easterly towards Lake Wahnapitae, not exceeding 33 miles; the second section beginning at Little Current and extending to and connecting with the Canadian Pacific Railway at or near Stanley, in the township of Baldwin, on the Canadian Pacific Railway, not exceeding 31 miles; subject, however, to the company carrying out the undertakings contained in paragraph 6 of section 2 of chapter 8 of the statutes of 1900.

Conditions.

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 railways respectively; all the lines 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, 1901, 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 upon a location, and 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.

As to running powers.

7. The granting of such subsidies, and the receipt thereof by the respective companies, shall be subject to the condition that the Governor in Council 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 those so subsidized, reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies, and equal mileage rates between all such connecting railways; and the Governor in Council 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 hereby subsidized.

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 line 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 Governor in Council ; 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.

Production of accounts.

9. As respects all railways for which subsidies are granted by this Act, the company at any time owning or operating any of the railways 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.

As to Canadian steel rails.

10. The Governor in Council may make it a condition of the grant of the subsidies herein provided, or any heretofore authorized by any Act of Parliament as to which a contract has not yet been entered into with the company for the construction of the railway, that the company shall lay its road with new steel rails, made in Canada, if they are procurable in Canada of suitable quality, upon terms as favourable as other rails can be obtained, of which the Minister of Railways and Canals shall be the judge.

No. 146.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to authorize the granting of subsides in aid of the construction of the lines of railway therein mentioned.

First reading, May 18, 1901.

MR. BLAIR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 150.] **BILL.** [1901.

An Act further to amend the Act respecting the Judges of Provincial Courts.

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

1. The paragraph relating to British Columbia of section 11 of the *Act respecting the Judges of Provincial Courts*, chapter 138 of the Revised Statutes, as that paragraph is enacted by section 2 of chapter 56 of the statutes of 1894, is repealed, and the following is substituted therefor:— R.S.C., c. 138, s. 11 amended.

"The judges of the county courts of Cariboo, Westminster, Yale, Nanaimo and Vancouver, and the judge and the junior judge of the county court of Kootenay, each $2,400 per annum." County courts, British Columbia.

No. 150.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act further to amend the Act respecting the Judges of Provincial Courts.

First reading May 20, 1901.

SIR WILFRID LAURIER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

No. 157.] **BILL.** [1901.

An Act to amend the Acts of 1899 and 1900 respecting the Quebec Harbor Commissioners.

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

1899, c. 35, s. 2 repealed.

1. Section 2 of chapter 35 of the statutes of 1899 is repealed, and in lieu thereof it is enacted that the Quebec Harbor Commissioners, hereinafter called the Corporation, may guarantee the interest for twenty years at three per cent per annum on special bonds, to be known as "Quebec Grain Elevator Bonds," to be issued either by the Great Northern Railway Company, hereinafter called the Railway Company, or by any elevator company or other company to which the said Railway Company has transferred or assigned, or hereafter transfers and assigns, with the approval of the corporation, its rights under the contract entered into between the Corporation and the Railway Company on the thirtieth day of June, one thousand eight hundred and ninety-nine, set forth in the schedule to chapter 35 of the statutes of 1899, and under the contract between the same parties executed on the eighteenth day of April, one thousand nine hundred, and set forth in the schedule to chapter 116 of the statutes of 1900, to an amount not exceeding two hundred thousand dollars, subject to the terms and conditions of the said agreements; and the Railway Company is hereby authorized to issue the said bonds, but such issue shall form part of any issue of bonds now authorized to be made by the Railway Company, and nothing herein contained shall be construed as in any way increasing or adding to the borrowing powers of the Railway Company.

Commissioners may guarantee interest on bonds.

Issue of bonds authorized.

Agreement authorized.

2. The Corporation and the Company are hereby authorized to enter into any agreement necessary to carry the objects of this Act into effect.

1899, c. 35; 1999, c. 116.

3. The provisions of chapter 35 of the statutes of 1899 and of chapter 116 of the statutes of 1900 shall apply to the guarantee hereby authorized.

No. 157.

1st Session, 9th Parliament, 1 Edward VII., 1901

BILL.

An Act to amend the Acts of 1899 and 1900 respecting the Quebec Harbor Commissioners.

First reading, May 22, 1901.

Mr. Fitzpatrick.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

A.] **BILL.** [1901.

An Act further to amend The Canada Evidence Act, 1893.

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

1. Section 5 of *The Canada Evidence Act*, 1893, as that section is enacted by chapter 53 of the statutes of 1898, is hereby amended by adding thereto the following subsection :— 1893, c. 31, s. 5 and 1898, c. 53, s. 1 amended.

"2. The proviso to subsection 1 of this section shall in like manner apply to the answer of a witness to any question which pursuant to an enactment of the legislature of a province such witness is compelled to answer after having objected so to do upon any ground mentioned in the said subsection, and which, but for that enactment, he would upon such ground have been excused from answering." Answers compelled under provincial enactments not to entail criminal liability except for perjury.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

A

An Act further to amend The Canada Evidence Act, 1893.

Received and read a first time, Wednesday, March 6th, 1901.
Second reading, Friday, March 8th, 1901.

Honourable Mr. MILLS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

B.] **BILL.** [1901.

An Act for the Relief of Lilias Middleton.

WHEREAS Lilias Middleton, of the City of Toronto, in the County of York and Province of Ontario, wife of Lancelot Willoughby Middleton, formerly of the City of Ottawa, but now confined in the penitentiary at Kingston, in the Province of Ontario, has by her petition set forth that on the twenty-seventh day of December, one thousand eight hundred and ninety-two, they were lawfully married at the City of Toronto, in the said Province of Ontario, that thereafter they lived together as husband and wife until the year one thousand eight hundred and ninety-four, when the said Lancelot Willoughby Middleton deserted her and went to the United States of America, and being there convicted of forgery, was sentenced to be and was imprisoned at Auburn in the State of New York for two years; that after his release from Auburn prison he went to Windsor, in the County of Essex, in the Province of Ontario, and under the name of Alexander Lawrence McDonald, on the seventeenth day of October, one thousand eight hundred and ninety-six, went through the form of marriage with one Sarah Elizabeth Smith, at the said Town of Windsor, and lived with her as his wife and had a child by her, and was guilty of adultery, and without lawful reason or excuse deserted the said Lilias Middleton, and has ever since continued to live apart from her and has committed other acts of adultery; and whereas the said Lilias Middleton has humbly prayed that her said marriage may be dissolved and that she may be authorized to marry again and that such further relief may be afforded her as is deemed meet; and whereas she has proved the said allegations of her said petition, and it is expedient that the prayer thereof should be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between the said Lilias Middleton and Lancelot Willoughby Middleton, her husband, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatever. Marriage dissolved.

2. The said Lilias Middleton may at any time hereafter marry any man whom she might lawfully marry in case the said marriage with the said Lancelot Willoughby Middleton had not been solemnized. Right to marry again

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA

BILL.

B

An Act for the Relief of Lilias Middleton.

Received and read a first time, Wednesday, March 13, 1901.
Second reading, Thursday, March 28, 1901.

Honourable Mr. WATSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

C.] **BILL.** [1901.

An Act for the relief of James Ward McDonald.

WHEREAS James Ward McDonald, of the town of Carleton Place in the county of Lanark, province of Ontario, commercial traveller, has by his petition set forth that on the twenty-ninth day of December, one thousand eight hundred and eighty-six, he was lawfully married to Janet McDonald, whose maiden name was Janet ; that they cohabited together as husband and wife until in or about the month of February, one thousand eight hundred and ninety-seven, and had issue of the said marriage three children, all of whom are living ; that in or about the month of February, one thousand eight hundred and ninety-seven, she committed adultery ; that she has since on divers occasions committed adultery with divers persons and given herself up to a course of life incompatible with her position as a wife ; that ever since he discovered the said acts of adultery they have lived separate and apart and have not cohabited together; and whereas he has humbly prayed that the said marriage may be dissolved and that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted ; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows :— Preamble.

1. The said marriage between the said James Ward McDonald and Janet McDonald, his wife, is hereby dissolved and shall henceforth be null and void to all intents and purposes, whatever. Marriage dissolved.

2. The said James Ward McDonald may at any time hereafter marry any woman whom he might lawfully marry in case the said marriage with the said Janet McDonald had not been solemnized. Right to marry again.

1st Session, 9th Parliament, 1 Edward VII., 1901

SENATE OF CANADA.

BILL

C

An Act for the relief of James Ward McDonald.

Received and read a first time, Wednesday, March 13, 1901.
Second reading, Thursday, March 28, 1901.

Honourable MR. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

D.] **BILL.** [1901.

An Act to amend the Yukon Territory Act and to make further provision for the administration of justice in the said Territory.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :— Preamble. 51 V., c. 6; 52 V., c. 11.

1. The Governor in Council may appoint police magistrates for Dawson and White Horse in the Yukon Territory who shall reside at those places, respectively, and shall ordinarily exercise their functions there, but who shall have jurisdiction, respectively, in such portions of the Yukon Territory as are defined in their commissions. Police Magistrates. Appointment and territorial jurisdiction.

2. Such police magistrates shall hold office during pleasure and shall not be debarred from practising their profession as advocates. Tenure of office.

3. The salary of the police magistrate for Dawson shall be $, and that of the police magistrate for White Horse shall be $, and such salaries may be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada. Salaries.

4. No person shall be appointed a police magistrate hereunder unless he has been admitted and has practised as an advocate, barrister or solicitor in one of the provinces of Canada for a period of not less than three years. Qualification.

5. Each of the police magistrates so appointed shall have the criminal jurisdiction possessed by a police magistrate of a city or an incorporated town, and may by his commission, or by order of the Governor in Council, made at any time after his appointment, be vested also with the civil jurisdiction hereinafter defined. Criminal and civil jurisdiction.

6. The civil jurisdiction of a police magistrate so appointed, if the Governor in Council thinks proper to vest such jurisdiction in him, shall, subject to the exceptions hereinafter mentioned, extend to the following cases :— Civil jurisdiction, if conferred by Governor in Council.

(*a.*) Personal actions where the amount claimed does not exceed $300.

(*b.*) Where the parties consent in writing, personal actions where the amount claimed does not exceed $500.

(*c.*) Claims and demands of debt, account or breach of contract or covenant or money demand, whether payable in money or otherwise, where the amount does not exceed $500.

(*d.*) Claims for the recovery of a debt or money demand, the amount or balance of which does not exceed $1,000, where the amount or original amount of the claim is ascertained by the signature of the defendant, or of the person whom, as executor or administrator, the defendant represents. Interest accumulated upon any claim of this class, since the amount or balance was so ascertained by the signature of the defendants or of such person as aforesaid, shall not be included in determining the question of jurisdiction, but interest so accumulated may be recovered before a police magistrate, notwithstanding that the interest and the amount of the claim so ascertained, together exceed the sum of $1,000.

Replevin.

7. Such police magistrates, if given civil jurisdiction, shall also have jurisdiction in cases of replevin where the value of the goods or other property or effects distrained, taken or detained, does not exceed $300.

Exceptions from jurisdiction.

8. The following classes of cases are excepted from the jurisdiction of such police magistrates :—

(*a.*) Actions for gambling debts ;

(*b.*) Actions for spirituous or malt liquors drunk in a hotel, tavern or house of public entertainment;

(*c.*) Actions on notes of hand given wholly or partly in consideration of a gambling debt or for such liquors ;

(*d.*) Actions for the recovery of land or in which the right or title to any corporeal or incorporeal hereditaments, or to any toll, custom or franchise comes in question ;

(*e.*) Actions in which the validity of any devise, bequest or limitation under any will or settlement is disputed ;

(*f.*) Actions for malicious prosecution, libel, slander, criminal conversation, seduction or breach of promise of marriage;

(*g.*) Actions against a justice of the peace for anything done by him in the execution of his office, if he objects to such jurisdiction.

Rules of practice.

9. The Commissioner in Council shall have full power, from time to time, to make laws, or to empower the judges of the Territorial Court to make general rules and orders, prescribing and regulating the procedure and practice to be observed in connection with the exercise of the civil jurisdiction of such police magistrates.

Court of Appeal.

Criminal Code, ss. 3 (*e*), 742.

10. The court of appeal in criminal cases arising in the Yukon Territory and involving indictable offences, shall be the Supreme Court of Canada.

Interpretation.

"Province."

R.S.C., c. 1, s. 7 (13).

11. The expression "province" in any Act of the Parliament of Canada includes the Yukon Territory, unless the context otherwise requires, and except in so far as the effect of the application of this rule would be inconsistent with the intent and object of such Act.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

D

An Act to amend *The Yukon Territory Act*, and to make further provision for the administration of justice in the said Territory.

Received and read a first time, Thursday, March 14, 1901.
Second reading, Monday, March 18, 1901.

Honourable Mr. MILLS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

E] **BILL.** [1901.

An Act to amend the Trade Mark and Design Act.

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

1. Section 3 of *The Trade Mark and Design Act*, chapter 63 of the Revised Statutes, is hereby amended by adding the following subsection thereto :— R.S.C., c. 63, amended.

"3. All marks, names, brands, labels, packages or other business devices which are adopted for use by any association or union of workingmen in its trade, business, occupation or calling, for the purpose of distinguishing any manufacture, product or article of any description, manufactured, produced, compounded or packed by or through the labour of any of the members of such association or union of workingmen, and applied in any manner either to such manufacture, product or article, or to any package, parcel, case, box or other vessel, or receptacle of any description containing it, shall, for the purposes of this Act, be considered and known as trade marks, and may be registered for the exclusive use of the association or union of workingmen registering it in the manner herein provided, and of the members of such association or union ; and thereafter such association or union of workingmen and its members shall have the exclusive right to use such trade mark to designate articles manufactured by or through the labour of the members of such association or union of workingmen, which, for the purposes of this Act, shall be considered the proprietor of such trade mark ; provided always that no mark shall be put upon the goods without the consent of the proprietor." Distinguishing marks used by Trades Unions to be considered trade marks. Consent of proprietor of article is required.

1st Session, 9th Parliament, 1 Edward VII., 1901

SENATE OF CANADA.

BILL

E

An Act to amend the Trade Mark and Design Act.

Received and read a first time, Tuesday, March 19, 1901.
Second reading, Tuesday, March 26, 1901.

Honourable Mr. Templeman.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

F.] **BILL.** [1901.

An Act respecting the Bell Telephone Company of Canada.

WHEREAS the Bell Telephone Company of Canada have, by their Petition, represented that they are desirous of increasing their capital stock, 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 capital stock of the Bell Telephone Company of Canada may be increased to an amount not exceeding ten million dollars, including the present authorized stock; and such increase may be effected in the manner provided by, and shall be subject to the provisions contained in section 5 of chapter 67 of the statutes of 1880. Capital increased. 1880, c. 67; 1884, c. 88; 1892, c. 67.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

F

An Act respecting The Bell Telephone Company of Canada.

Received and read a first time, Wednesday, March 20, 1901.
Second reading, Friday, March 22, 1901.

Honourable Mr. McMillan.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

G.] **BILL.** [1901.

An Act respecting The Demise of the Crown.

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

1. No writ, cause, action, suit, plea, judgment or process or any other proceeding whatsoever whether civil or criminal in or issuing out of any court shall be determined, abated or discontinued by the demise of the Crown upon the death of Her late Majesty Queen Victoria or by any demise of the Crown that may hereafter take place, but every such writ, cause, action, suit, plea, judgment, process or other proceeding shall remain in full force and virtue to be proceeded upon or with notwithstanding any such demise of the Crown. Demise of Crown not to affect legal proceedings.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

G

An Act respecting the Demise of the Crown.

Received and read first time, Wednesday, 20th March, 1901.
Second reading, Friday, 22nd March, 1901.

Honourable MR. MILLS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

H.] **BILL.** [1901.

An Act respecting The Dawson City Electric Company (Limited).

Preamble.

WHEREAS the Dawson City Electric Company (Limited), hereinafter called "the Company," has, by its petition, represented that it is desirous of obtaining an Act to amend the Act incorporating the Company, chapter 98 of the statutes of 1898, and that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1898, c. 98.

1898, c. 98, s. 17, as to limitation of time for commencing and completing construction, repealed.

1. Section 17 of chapter 98 of the statutes of 1898 is hereby repealed and the time for the commencement of the construction of the electric railways and tramways of the Company is hereby extended until the first day of July, 1903; and the time for the completion of the said electric railways and tramways is hereby extended until the first day of July, 1906; and if such construction is not so commenced or if such completion is not so made, then and in either case, the powers of the Company to build the said electric railways and tramways, or any uncompleted portion thereof, shall cease.

New limitation.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

H

An Act respecting The Dawson City Electric Company (Limited).

Received and read a first time, Thursday, March 28, 1901.
Second reading, Monday, April 1, 1901.

Honourable Mr. MACDONALD,
(Victoria.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

I.] **BILL.** [1901

An Act to Incorporate the Alaska and North-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.

1. John Mather and George P. Brophy, both of the city of Ottawa; F. Waldo Ames and S. Walker Janes, of the city of Boston, United States; George P. Magann, of the city of Toronto; George Campbell, of the city of Philadelphia, United States, and David J. Kennelly, of the city of London, England, together with such persons as become shareholders in the company, are incorporated under the name of "The Alaska and North-western Railway Company," hereinafter called "the Company." Company incorporated. 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 ten million dollars, and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent on the shares subscribed. Capital.

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

5. The annual meeting of the shareholders shall be held on the first Monday in October in each year. Annual meeting.

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

7. The Company may lay out, construct and operate a railway of the gauge of three feet or such other gauge as may be adopted by the Company, not being less than three feet or more than four feet eight and one half inches, from a point at or near Pyramid Harbor near the head of Lynn Canal, or from Gauge of railway. Route.

Route.

a point at or near the International boundary line near the Lynn Canal, thence through the Chilkat Pass, and thence by way of the Dalton Trail to Fort Selkirk on the Yukon River.

Powers.

8. The Company may, for the purpose of its business,—

Wharfs, buildings and vessels.

(*a*) Construct, acquire and operate wharfs, piers, docks, landing places, hotels, elevators and warehouses, and acquire and navigate steam and other vessels for the transportation of passengers and freight, in connection with such railway, tramways, roads and routes, upon the waters of the rivers, lakes and streams adjacent to the said railway;

Telegraph and telephone lines.

(*b*) Construct, acquire and operate telegraph and telephone lines, both in connection with and beyond its railway, to any point in the North-west Territories north of the northern boundary of the province of British Columbia, and may lay submarine lines for telegraph and telephone connections between such points, and undertake the transmission of messages for the public by such lines;

Mines.

(*c*) Acquire and operate mines in the province of British Columbia and the North-west Territories, and exercise mining rights and privileges therein;

Trading etc.

(*d*) Erect and maintain stores and trading posts, mills and manufactories, and carry on in the province of British Columbia and the North-west Territories the business of general traders, carriers, forwarders, transportation agents, lumberers, millers and manufacturers, and all other business incident thereto, or connected therewith; and may, for any of the said purposes, acquire lands, buildings, mill sites, mills, water power, timber, timber limits, works, docks, vessels, vehicles, machinery, goods, wares, merchandise and general supplies, and such other property as may be necessary for effectually carrying out the above purposes, and may dispose of or deal in the same.

Electricityetc.

(*e*) Erect, use and carry on works for the generation, transmission and distribution of electrical power and energy, and acquire and utilize water and steam power for the purpose of generating electricity for all purposes in connection with its railway, tramways, vessels, mills, manufactories and works; and may dispose of any surplus electricity or other power generated by its works and not required for operating its railway or other works.

Powers for navigation and transportation to be subject to control of Governor in Council.

9. The powers conferred upon the Company of carrying on a navigation and transportation business shall only be exercised under the supervision of the Governor in Council and under such regulations as he imposes; and the Governor in Council may grant to other companies the right to use the wharfs and terminals of the Company, and may fix the terms, rates and conditions on which they may be used.

Expropriation of land.

10. If the Company requires land for wharfs, docks, elevators or landing places and cannot agree for the purchase thereof with the owner of such land, it may cause a map or plan and book of reference to be made of such land, and all the provisions of sections 107 and 111, both inclusive, of *The Railway Act*, shall apply to the subject-matter of this section and to the obtaining of such land and determining the compensation therefor.

1888, c. 29.

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

12. The railway of the Company shall be commenced by the first day of July, 1903, and shall be completed and put in operation by the first day of July, 1906, otherwise the powers for the construction thereof shall cease and be null and void as respects so much of the railway as then remains uncompleted. Limitation of time for building.

13. Subject to the provisions of this Act, *The Companies Clauses Act*, except sections 7, 18 and 39 thereof, shall apply to the Company. R.S.C., c. 118.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

I

An Act to incorporate the Alaska and North-western Railway Company.

Received and read a first time, Thursday, March 28, 1901.
Second reading, Monday, April 1, 1901.

Honourable Mr. MacKeen.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

J.] **BILL.** [1901.

An Act respecting Applications for Railway Charters

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

1. Whenever an application is made to the Parliament of Canada for the passing of an Act to authorize the construction of any railway, or the extension of any railway, or the construction of any new works upon or in connection with any railway then existing or authorized to be constructed, the following conditions shall be complied with :— Conditions to be complied with.

(1.) Before the consideration of the petition for such Act by the Committee on Standing Orders of the House in which the Bill is to originate, the applicants for such authority shall deposit with the Department of Railways and Canals :— Deposit of documents.

(*a.*) A map or plan, made from actual survey, showing the route of the proposed railway according to the preliminary survey thereof, or the site and nature of the new works. Map.

(*b.*) In the case of a railway, a profile, made from actual levelling, and showing approximately the ground surface, the proposed gradients, and the crossings of rivers, watercourses, highways and other railways. Profile.

(*c.*) In the case of new works upon or in connection with a railway, sections made from actual levelling and showing the nature of such works. Sections.

(*d.*) A report by the engineer or land surveyor by whom or under whose supervision such survey has been made, describing the nature of the country to be traversed by the proposed railway or works, the character of the line or works to be built, and everything necessary for the right understanding of such map or plan, and profile or sections. Engineer's report.

(*e.*) An approximate estimate, by such engineer or land surveyor, of the total cost of such railway or works as the case may be. Estimate of cost.

(2.) Such map or plan, profile and sections shall be drawn on such a scale and on such paper as are, from time to time, designated for that purpose by the Minister of Railways and Canals. Scale, etc., of maps.

(3.) The correctness of every such map or plan, profile and section, and the truth of every such report and estimate shall be certified thereon under the signature of the engineer or land surveyor making the same, and shall be further attested by statutory declaration to that effect made by him and attached thereto. Certificate of correctness.

Certificate of compliance with conditions.

(4.) The said applicants shall present with their petition a certificate signed by the Minister of Railways and Canals or his deputy, that such deposit has been so made and that all the other requirements of this section have been complied with.

Proceedings to be suspended if conditions are not complied with.

2. If the conditions imposed by the next preceding section, or any of them, are not complied with, the Committee on Standing Orders of the House in which the bill is to originate shall report accordingly to that House, and thereupon, unless otherwise specially ordered by that House, or unless otherwise provided for by the Standing Orders thereof, all further proceedings upon the bill shall be suspended until the said conditions have been complied with.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

J

An Act respecting Applications for Railway Charters.

Received and read a first time, Thursday, April 11, 1901.
Second reading, Tuesday, April 16, 1901.

Honourable Mr. CASGRAIN,
(de Lanaudière.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

O.] **BILL.** [1901.

An Act to incorporate The Institute of Chartered Accountants, Actuaries and Finance.

WHEREAS the persons hereinafter named have by their petition prayed that it may 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. Thomas Bradshaw, Robert Kilgour, Andrew Gunn and Samuel J. Moore, all of the city of Toronto, and all other persons who may hereafter from time to time become members of the corporation, are hereby constituted a body corporate and politic under the name of "The Institute of Chartered Accountants, Actuaries and Finance," hereinafter called "the Institute." Corporation constituted. Corporate name.

2. The objects and powers of the Institute shall be to promote by all lawful means the study of financial and actuarial science, accountancy and commercial education in general, and for such purposes to establish such educational agencies and hold such examinations as may be found expedient; to establish bursaries, scholarships and fellowships in connection therewith; to grant diplomas of fellowship and certificates of efficiency to competent members; to establish such classes of membership as may be found expedient, and to determine the rights, privileges, terms and conditions of such classes. Objects and general powers.

3. The Institute may by by-law divide its work into the following branches or departments: (*a*) An Accountancy branch; (*b*) An Actuarial Branch; (*c*) A Financial and Commercial Branch; and may name and describe the said branches or departments as "The Institute of Chartered Accountants," "The Institute of Actuaries" and "The Institute of Finance" respectively, or by such other name or designation as may be determined by such by-law. Division of corporation into branches. Names of branches.

4. The Institute may acquire, hold and dispose of such personal property and real estate and any interest therein as may from time to time be necessary or convenient for the purposes of the Institute. Property.

Council of management.

5. The affairs, business and concerns of the Institute shall be managed by a council to be constituted in such manner as may be provided by by-law; and the persons named in the section of this Act shall constitute the first council and shall hold office until their successors are appointed.

General meetings.

6. The first general meeting of the Institute shall be held during the year 1901, at such time and place and upon such notice as the council may decide. Subsequent general meetings shall be held, as the by-laws of the Institute may provide, but at least once in each calendar year.

Powers of council.

Confirmation of council's by-laws.

7. The objects and powers of the Institute may be carried out and exercised by the council or under by-laws, resolutions, rules and regulations passed by the council; but every such by-law, rule and regulation, unless in the mean time confirmed at a general meeting of the Institute called for the purpose of considering the same, shall only have force until the next annual meeting, and in default of confirmation thereat shall cease to have force; provided always that any by-law, rule or regulation passed by the council may be repealed, amended, varied or otherwise dealt with by the Institute at any annual general meeting or at a special general meeting called for the purpose.

Benevolent funds, etc.

8. The Institute may establish funds, benevolent or otherwise, for the benefit of members or their families, including the families of deceased members thereof.

Power to make by-laws.

9. The Institute in general or special meeting assembled, may make by-laws for carrying out its objects and exercising the powers by this Act conferred upon it.

Affiliation.

10. The Institute may affiliate with any association or corporation having the same or similar objects.

1st Session, 9th Parliament, 1 Edward VII

THE SENATE OF CANAD

BILL.

An Act to incorporate The Insti
Chartered Accountants, Actuari
Finance.

Received and read a first time, Tuesda
30th, 1901.
Second reading, Wednesday, May 1st,

Honourable Mr. Loug

OTTAWA
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1901

THE SENATE OF CANADA.

P.] **BILL.** [1901.

An Act to amend The Interpretation Act.

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

1. Section 7 of *The Interpretation Act*, chapter 1 of the Revised Statutes of Canada, is hereby amended by inserting immediately after paragraph (31) thereof the following paragraph:— R.S.C., c. 1, s. 7 amended. New para. (31*a*.)

(31A.) The expression "county court," in its application to the Province of Ontario, includes "district court." "County court" in Ontario.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

P

An Act to amend The Interpretation Act.

Received and read a first time, Tuesday, April 30th, 1901.
Second Reading, Wednesday, May 1st, 1901.

Honourable MR. MILLS.

OTTAWA
Printed by S. E. DAWSON
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1901

THE SENATE OF CANADA.

Q.] **BILL.** [1901.

An Act further to amend The Criminal Code, 1892.

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 Criminal Code Amendment Act*, 1901.

2. *The Criminal Code*, 1892, is amended in the manner set forth in the following schedule:— 1892, c. 29 amended.

SCHEDULE.

331A. By repealing this section, as enacted by chapter 46 of the statutes of 1900, and substituting the following therefor:—

"**331A.** Every one is guilty of an indictable offence and liable to three years' imprisonment who—

(*a*) without the consent of the owner thereof fraudulently takes, holds, keeps in his possession, conceals, receives, appropriates, purchases or sells, or fraudulently causes or procures, or assists in the taking possession, concealing, appropriating, purchasing or selling of any cattle which are found astray; or

(*b*) fraudulently refuses to deliver up any such cattle to the proper owner thereof, or to the person in charge thereof on behalf of such owner, or authorized by such owner to receive such cattle; or

(*c*) without the consent of the owner, fraudulently, wholly or partially obliterates, or alters or defaces, or causes or procures to be obliterated, altered or defaced, any brand or mark on any cattle, or makes or causes or procures to be made any false or counterfeit brand or mark on any cattle."

707A. By repealing this section, as enacted by chapter 46 of the statutes of 1900, and substituting the following therefor:—

"**707A.** In any criminal prosecution, proceeding or trial, the presence upon any cattle of a brand or mark, which is duly recorded or registered under the provisions of any Act, ordinance or law, shall be *primâ facie* evidence that such cattle are the property of the registered owner of such brand or mark; and where a person is charged with theft of cattle, or

with an offence under paragraph (*a*) or paragraph (*b*) of section 331A respecting cattle, possession by such person or by others in his employ or on his behalf of such cattle bearing such a brand or mark of which the person charged is not the registered owner, shall throw upon the accused the burden of proving that such cattle came lawfully into his possession or into the possession of such others in his employ or on his behalf, unless it appears that such possession by others in his employ or on his behalf was without his knowledge and without his authority, sanction or approval."

By inserting the following section immediately after section 714:—

"**714A.** When an offence under section 331 is charged and not proved, but the evidence establishes an offence under section 331A, the accused may be convicted of such latter offence and punished accordingly."

Section **801.** By repealing, as of the first day of January, 1901, subsection 2 of this section as enacted by chapter 46 of the statutes of 1900.

Section **955.** By inserting at the end of subsection 2 thereof the following paragraph:—

"(*b*) In the Province of Manitoba any one sentenced to imprisonment for such a term may be sentenced to imprisonment in any one of the common gaols in that Province unless a special prison is prescribed by law."

1st Session, 9th Parliament, 1 Edward VII

THE SENATE OF CANA

BILL

Q

An Act further to amend the C
Code, 1892.

Received and read first time, Tuesd
April, 1901.
Second reading, Thursday, 2nd May,

Honourable MR. MI

OTTAWA
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1901

THE SENATE OF CANADA.

R.] **BILL.** [1901.

An Act further to amend the North-West Territories Representation Act.

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

1. Section 31 of *The North-West Territories Representation Act*, chapter 7 of *The Revised Statutes of Canada*, is hereby amended by striking out of the second line thereof the words "two days" inserted therein by section 4 of chapter 15 of the statutes of 1894. R.S.C., c. 7, s. 31 again amended.

2. Section 32 of *The North-West Territories Representation Act*, is hereby amended by substituting for the words "two days," inserted in the fifth line thereof by section 5 of chapter 15 of the statutes of 1894, the words "on the day." R.S.C., c. 7, s. 32 again amended.

3. Sections 4 and 5 of chapter 15 of the statutes of 1894 are hereby repealed. 1894, c. 15, ss, 4 and 5 repealed,

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL

R

An Act further to amend The North-West Territories Representation Act.

Received and read a first time, Thursday, May 9, 1901.
Second reading, Friday, May 10, 1901.

Honourable Mr. PERLEY.

OTTAWA
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1901

THE SENATE OF CANADA.

S.] **BILL.** [1901.

An Act to amend an Act passed during the present Session, intituled "An Act to incorporate the Fort Qu'Appelle Railway Company."

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

1. Section 8 of the Act passed during the present session of Parliament and intituled "*An Act to incorporate the Fort Qu'Appelle Railway Company*" is hereby amended by substituting for the words "an electric railway," in the first and second lines thereof, the words "a railway." Section 8 amended.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL.

S

An Act to amend an Act passed during the present Session, intituled "An Act to incorporate the Fort Qu'Appelle Railway Company."

Received and read first time, Thusday, 9th May, 1901.
Second reading, Friday, 10th May, 1901.

Honourable Mr. Perley.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1901

THE SENATE OF CANADA.

T.] **BILL.** [1901.

An Act to confer on the Commissioner of Patents certain powers for the relief of Eudora Sibbald.

Preamble

WHEREAS Eudora Sibbald, of the City of Montreal, in the Province of Quebec, widow and legal representative of the late John George Sibbald, has by her petition represented that the said John George Sibbald was at the time of his death the owner of Patent Number 25018, for improvements in the art of and machinery for dressing, or dressing and hardening, the surfaces of car wheels and other metal bodies, and in car wheels having a dressed, or dressed and hardened, surface; that the said patent was granted on the twenty-fifth day of September, one thousand eight hnndred and eighty-six, and was, on the seventeenth day of September, one thousand eight hundred and ninety-one, extended for a period of five years; that on the twenty fifth day of September, one thousand eight hundred and ninety six, the said patent was again extended for a period of five years; and that unless extended the said patent will expire on the twenty-fifth day of September next: And whereas the said Eudora Sibbald has represented that the said John George Sibbald has expended large sums of money, and much time and labour, and has used all due due diligence in testing and developing the said patent: And whereas it appears that the said patent has never been put on the market, and machines of the design of the said patent have never been manufactured for sale: And whereas unless some extension or renewal of the said patent is granted, the said Eudora Sibbald will suffer great loss and injury, and will wholly lose the money, time and labour expended on the said invention by the said John George Sibbald: And whereas the said Eudora Sibbald has, by her petition, prayed that the said patent be renewed or extended for a further term of eighteen years from the twenty-fifth day of September next, or for such further or other time as may be just and reasonable in the premises, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

R.S.C., c. 61.

Powers to Commissioner of Patents

1. Notwithstanding anything to the contrary in *The Patent Act* or in the Letters Patent mentioned in the preamble, the Commissioner of Patents may receive from Eudora Sibbald, on or before the twenty-fifth day of September, one thousand nine hundred and one, an application for a certificate of pay-

to issue certificate of extension of patent.

ment and the usual fee required for the term of eighteen years, and may grant and issue to the said Eudora Sibbald the certificate of payment of fees provided by *The Patent Act* and an extension of the period of the duration of said Letters Patent for a term of eighteen years from the twenty-fifth day of September, one thousand nine hundred and one; and upon payment of the said fee, and receiving the said certificate, the said Letters Patent are hereby extended and renewed and declared to be in force for a term of eighteen years from the twenty-fifth day of September, one thousand nine hundred and one.

Letters patent extended.

1st Session, 9th Parliament, 1 Edward VII., 1901

THE SENATE OF CANADA.

BILL.

T

An Act to confer on the Commissioner of Patents certain powers for the relief of Eudora Sibbald.

Received and read first time, Friday, 17th May, 1901.
Second reading, Friday, 17th May, 1901.

Honourable Mr. BAKER.

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1901