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ACTS  
OF THE  
PARLIAMENT  
OF THE  
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE

SIXTY-THIRD AND SIXTY-FOURTH YEARS OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA

BEING THE

FIFTH SESSION OF THE EIGHTH PARLIAMENT

*Begun and holden at Ottawa, on the First day of February, and closed  
by Prorogation on the Eighteenth day of July, 1900*



HIS EXCELLENCY THE

RIGHT HONOURABLE SIR GILBERT JOHN ELLIOT, EARL OF MINTO

GOVERNOR GENERAL

VOL. II.

LOCAL AND PRIVATE ACTS

OTTAWA

PRINTED BY SAMUEL EDWARD DAWSON

LAW PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

ANNO DOMINI 1900





## 63-64 VICTORIA.

### CHAP. 49.

#### An Act respecting the Algoma Central Railway Company.

[Assented to 7th July, 1900.]

**W**HEREAS the Algoma Central Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 8 of chapter 50 of the statutes of 1899 is 1899, c. 50, s. 8 amended. amended by striking out all the words after the words “St. Mary River” in the fourth line thereof, and substituting therefor the words, “to a point between Magpie and the Michipicoten Rivers, and thence to the main line of the Canadian Line of railway. Pacific Railway, and southerly to Michipicoten Harbour upon Lake Superior.”

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## 63-64 VICTORIA.

### CHAP. 50.

#### An Act respecting the Bay of Quinte Railway Company.

[Assented to 14th June, 1900.]

**WHEREAS** the Bay of Quinte Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice 1881, c. 46; and consent of the Senate and House of Commons of Canada, 1896, c. 15. enacts as follows:—

**1.** The Bay of Quinte Railway Company, hereinafter called Powers. “the Company,” may, in connection with its railway and for the purposes of its business,—

(a.) acquire lands and erect, use and manage works, manufacture machinery and plant for the generation, transmission and distribution of electric power and energy and other motive Electric and other motive power. power;

(b.) build and maintain power houses and stations for the development of electrical force and energy and other motive Power houses. power;

(c.) locate, acquire, work and dispose of mines, mineral lands, minerals, mining rights, timber and timber lands and the products thereof, and develop such mines, and crush, smelt, reduce, amalgamate and dispose of the ore and products of any mine; Mining.

(d.) 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; Patent rights.

(e.) sell or lease any surplus power which the Company may develop or acquire either as water power or other motive Surplus power. 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.

**2.** Notwithstanding anything contained in the Acts relating to the Company, the head office of the Company shall be in Head office. the

the town of Deseronto, or in such other place in Canada as the directors from time to time determine by by-law.

Annual meeting.

**3.** The annual meeting of the shareholders shall be held on the second Monday in September in each year.

Time for construction of railway extended.

**4.** The time limited for the completion of the railway, branches and extensions is extended for five years from the passing of this Act, and if the said railway, branches and extensions are not then completed the powers granted by Parliament for such construction shall cease and be null and void as respects so much of the undertaking as then remains uncompleted.

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## 63-64 VICTORIA.

### CHAP. 51.

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

[Assented to 14th June, 1900.]

**WHEREAS** the Brandon and South-western Railway Preamble.  
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 Her Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

**1.** Section 3 of the Act to incorporate the Brandon and 1890, c. 86,  
South-western Railway Company, being chapter 86 of the s. 3 amended.  
statutes of 1890, is amended by adding thereto the following  
subsection:—

“**2.** The Company may also lay out, construct and operate Extension of  
a line of railway extending from the city of Brandon, or from railway.  
the point at or near the city of Brandon referred to in the  
preceding subsection, north-easterly to a point at or near the  
town of Gladstone, thence south-easterly to a point at or near  
the town of Carman, thence north-easterly to a point at or near  
the city of Winnipeg, and also a line of railway from the said  
point at or near the town of Carman southerly to the interna-  
tional boundary line between Canada and the United States in  
range 5 or range 6; also a line of railway from a point in  
township 6 or township 7, range 4 or range 5 south-westerly  
to the said international boundary line in township 1, range 16  
or range 17, and also a line of railway from a point in town-  
ship 5 or township 6, range 12 or range 13 south-easterly to the  
said international boundary line in township 1, range 11 or  
range 12.”

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

“**5.** The capital stock of the Company shall be two million Capital stock.  
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.”



New s. 9.

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

Bond issue limited.

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

Section 10 repealed.

**4.** Section 10 of the said Act is repealed.

Time for construction extended.

**5.** The time limited for the commencement of the railway of the Brandon and South-western Railway Company, and for the expenditure of fifteen per cent on the amount of its capital stock as required by section 89 of *The Railway Act*, is hereby extended for a period of two years from the first day of November, one thousand nine hundred, and if such expenditure is not so made or if the railway is not finished and put in operation within five years from the said first day of November, one thousand nine hundred, then the powers of construction granted to the said Company shall cease and be null and void as respects so much of the railway as then remains uncompleted.

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## 63 - 64 VICTORIA.

### CHAP. 52.

#### An Act respecting the British Columbia Southern Railway Company.

[Assented to 7th May, 1900.]

**W**HEREAS the British Columbia Southern Railway Com-<sup>Preamble.</sup>pany 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The British Columbia Southern Railway Company may complete on or before the thirty-first day of December, one thousand nine hundred and four, the western section of its railway, being that portion thereof between the western terminus of its central section on the Lower Kootenay River and the coast, by the most convenient route to a favourable place for crossing the Fraser River to the city of New Westminster, such route to be first approved of by the Governor in Council, thence to a suitable terminus on Burrard Inlet, including a branch line to Nelson via Salmon River; and also a branch line from a point on its main line at or near the forks of Michel Creek, thence by way of Michel Creek to Martin Creek; provided that as to so much thereof as is not completed on or before that date the powers of the said Company shall cease and determine.

Time extended for completion of western section.

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# 63 - 64 VICTORIA.

## CHAP. 53.

An Act respecting the British Yukon Mining, Trading and Transportation Company, and to change its name to the British Yukon Railway Company.

[Assented to 7th July, 1900.]

**W**HEREAS the British Yukon Mining, Trading and Transportation 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.  
1897, c. 89.

**1.** The name of The British Yukon Mining, Trading and Transportation Company (hereinafter called "the Company") is changed to "The British Yukon 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 anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name changed.  
Existing rights saved.

**2.** Sections 17 and 20 of chapter 89 of the statutes of 1897 are repealed, and the following section is substituted for the said section 17:—

Sections 17 and 20 repealed.

"**17.** *The Railway Act* shall extend and apply to the Company, and shall, except in so far as the said *Railway Act* is inconsistent with any of the provisions herein contained, be incorporated with and form part of this Act."

New s. 17.  
1888, c. 29.

**3.** All acts and proceedings of the Company heretofore done and taken, and which were in accordance with or authorized by *The Railway Act*, shall be valid, notwithstanding that such acts and proceedings were not done and taken in accordance with the provisions of *The Companies Clauses Act*.

Acts and proceedings confirmed.

1897, c. 89,  
s. 19 amended.

4. Section 19 of chapter 89 of the statutes of 1897 is amended by substituting the words "Bennett Lake" for the words "Tagish Lake" in the fourth line of the said section.

Agreement  
with another  
company.

5. The Company may enter into an agreement with the British Columbia Yukon 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, or for the purchase or lease by the Company of the said railway, or any section thereof, and the said company may enter into such agreements with 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.

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 published at the city of Victoria, in the province of British Columbia.

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.

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## 63 - 64 VICTORIA.

### CHAP. 54.

#### An Act respecting the Buffalo Railway Company (Foreign).

[Assented to 7th July, 1900.]

**WHEREAS** the Buffalo Railway Company, incorporated Preamble.  
under the laws of the state of New York, 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 Her Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows :—

**1.** The Buffalo Railway Company, hereinafter called “the Buffalo Rail-  
way Company  
incorporated.  
Company,” is invested with and shall be entitled to all the  
powers, privileges and rights as a corporation necessary  
for the convenient and proper carrying on of the business and  
undertakings in Canada in the next following section mentioned.

**2.** The Company may purchase the entire assets and acquire, Power to ac-  
quire certain  
franchises  
in Canada.  
undertake and exercise the whole or any part of the business,  
undertaking, property and liabilities, and the name, franchise  
and good-will of the Niagara Falls Park and River Railway  
Company, the Queenston Suspension Bridge Company, the  
Queenston Heights Bridge Company, the Clifton Suspension  
Bridge Company, or of any of such companies, and may pay  
therefor in such manner as is agreed upon ; and any before  
mentioned company is hereby authorized to sell and transfer  
its assets, business, property, name, franchise and good-will to  
the Company, and the Company and such other company may  
enter into agreements of purchase and sale and do all acts  
necessary or convenient for the purpose of such sale and pur-  
chase ; and the execution of any such agreement shall *ipso facto*  
vest in the Company the interest and title in and to the property  
the subject matter of the agreement, and the business, property,  
real and personal, and all rights and incidents appurtenant  
thereto and all other things belonging to such other company,  
shall be taken and deemed to be transferred to and vested in  
the Company without further act or deed.

Deposit of  
agreement.

2. A duplicate of each such agreement 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*.

Security  
for bonds.

3. The Company by its deeds of trust or mortgages may subject any assets, business, undertaking and property acquired as in the next preceding section mentioned, including the bonds issuable and mortgagable or pledgable by the Niagara Falls Park and River Railway Company, to a lien or charge to secure any bonds which it may issue.

Service of  
process

4. The Company shall have an office at or near Niagara Falls, Ontario, and service of process or legal documents may be effected upon any clerk or officer employed therein or upon the person then in charge thereof, and such service shall be good service upon and shall bind the Company.

Saving as  
to Queen  
Victoria  
Niagara  
Falls Park

5. Notwithstanding anything in this Act contained, the jurisdiction and control of the Commissioners for the Queen Victoria Niagara Falls Park in respect to the matters placed under their jurisdiction and control by virtue of chapter 96 of the statutes of 1892 of the legislature of Ontario, and the powers of the said legislature in respect of the Niagara Falls Park and River Railway Company, shall continue the same as if this Act had not been passed, nor shall anything in this Act contained vary the agreement of the fourth of December, one thousand eight hundred and ninety-one, by the said statute of 1892 ratified and confirmed.

Bridge of  
Queenston  
Heights  
Bridge Co.  
to be kept  
open.

6. The bridge of the said Queenston Heights Bridge Company shall be kept open every day and night throughout the year for the use of passengers on foot or travelling in cars or other vehicles, upon the payment, by intending passengers, of the tolls from time to time prescribed by the Company and approved of by the Governor in Council.

Application  
of laws of  
Canada and  
Ontario.

7. Nothing in this Act contained shall relieve the Company from the observance of the laws of Canada or Ontario, as the case may be, except in so far as such laws are inconsistent with the acquisition and operation of the undertakings as hereby authorized.



## 63-64 VICTORIA.

### CHAP. 55.

#### An Act respecting the Canadian Pacific Railway Company.

[Assented to 7th May, 1900.]

**W**HEREAS the Canadian Pacific Railway Company has, by Preamble. its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Canadian Pacific Railway Company, hereinafter called "the Company," may construct or acquire and operate Power to construct and acquire other railways. all or any of the following railways, that is to say :

From a point on the Deloraine extension of the Souris branch of the Company's railway at or near Deloraine; thence south-westerly to a point in township one or two and thence westerly for a distance of one hundred miles;

From a point at or near Napinka on the Company's Souris branch; thence westerly to a junction with the north-west extension of the Souris branch;

From a point on the Manitoba South-western Colonization Railway between Manitou and Pilot Mound; thence in a general southerly direction to a point at or near the international boundary;

From a point on the Company's Souris branch between Lauder and Menteith; thence easterly and north-easterly to a point between Glenboro and Treesbank on the Glenboro extension of the said Souris branch;

From a point at or near Osborne on the Company's Pembina Mountain branch; thence westerly and south-westerly to some point on the line of the Manitoba South-western Colonization Railway between Cartwright and Boissevain;

From a point at or near Otterburne on the Company's Emerson branch; thence south-easterly to a point at or near Stuartburn in township two, range six east;



From a point at or near West Selkirk; thence in a northerly direction about sixty miles through ranges three or four east to some point on the west shore of Lake Winnipeg; thence in a direct line north-westerly to a point on the Little Saskatchewan River distant not more than six miles from Lake Winnipeg;

From a point on the Company's railway at or near New Westminster; thence to Vancouver by such route as may be found most direct and feasible.

Time for construction limited.

**2.** Each of the said railways shall be commenced within two years, and completed within five years, after the passing of this Act, otherwise the powers hereby granted for its construction shall cease as to so much thereof as then remains uncompleted.

Issue of bonds.

**3.** The Company may issue bonds which shall be a first lien and charge and be secured exclusively upon any one or more of the above mentioned railways 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 bonds, the Company may issue consolidated debenture stock in respect of any of such railways, or of a branch railway from McGregor in Manitoba on the Company's main line, thence westerly and north-westerly to Varcoe about fifty-six miles, or of a branch railway from a point on the Company's main line at or near Molson Station in Manitoba, thence northerly and north-easterly to a point on Lac du Bonnet or Winnipeg River about twenty-six miles,—the holders of which stock 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, as the case may be, shall not exceed the rate of twenty thousand dollars per mile of such railways respectively.

Debenture stock.

Capital stock of bonds, etc., limited.

1899, c. 58, s. 3 amended.

**4.** Section 3 of chapter 58 of the statutes of 1899 is hereby amended by striking out the word "stock" in line twelve thereof.

Regulation of tolls.

**5.** Clause 20 of the Company's charter shall not apply to the tolls to be collected by the Company for passengers or goods transported upon any of the railways to be constructed under the authority of this Act, but all such tolls shall be fixed and regulated as provided for in *The Railway Act*.

1881, c. 1; 1888, c. 29.



63-64 VICTORIA.

CHAP. 56.

An Act respecting the Central Vermont Railway Company, Foreign.

[Assented to 18th July, 1900.]

**WHEREAS** the Central Vermont Railway Company, incorporated under the laws of the state of Vermont, 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Central Vermont Railway Company, hereinafter called "the Company," is invested with and shall be entitled to all the powers, privileges and rights as a corporation necessary for the convenient and proper carrying on of the business and undertakings in Canada in the next following sections mentioned.

Central Vermont Railway Company incorporated.

**2.** The Company may purchase the capital stock of, and may purchase, lease and operate the railway of the Montreal and Province Line Railway Company, the Stanstead, Shefford and Chambly Railway Company and the Montreal and Vermont Junction Railway Company.

Power to acquire other railways.

**3.** The several corporations owning the said railways may severally enter into agreements with the Central Vermont Railway Company for conveying or leasing to that company the several railways aforesaid, together with the franchises, surveys, plans, works, plant, material, machinery and other property to the said corporations severally belonging, or for an amalgamation with the Central Vermont Railway Company, 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 of each of the said corporations duly called for the purpose of considering it,—at which meeting shareholders representing at least two-thirds in value of the stock of each

Agreements with other companies.

Approval of shareholders and Governor in Council.

of the said corporations are present or represented by proxy—and that such agreements have 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 through which the railway to be conveyed, leased or amalgamated runs, and in which a newspaper is published.

Agreement to be filed with Secretary of State.

3. A duplicate of each of the agreements 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.

Service of process.

4. The Company shall have an office at or near Montreal, and service of process or legal documents may be effected upon any clerk or officer employed therein or upon the person then in charge thereof, and such service shall be good service upon and shall bind the Company.

Application of laws of Canada.

5. The Company and its undertakings shall be subject to *The Railway Act*, except sections 32 to 89, and to the laws of Canada.

Liabilities of Montreal and Province Line Railway Co. not affected.

6. Nothing in this Act 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 Montreal and Province Line Railway Company, nor shall it relieve such company or its properties from the payment or performance of any debt, liability, obligation, contract or duty.

As to aid from municipalities.

7. Nothing in this Act contained shall take away, annul or affect any agreement or stipulation made, in relation to the line of railway belonging to the Montreal and Province Line Railway Company, with any municipality which granted or which was part of a territory granting any bonus, aid or assistance to either of the said lines of railway; but the said Central Vermont Railway Company shall, in the event of such lease, sale or amalgamation, carry out the conditions under which such bonus was granted.

Rights of Franchère et al. saved.

8. The Central Vermont Railway Company, in purchasing, leasing and operating the railway of the Montreal and Province Line Railway Company, shall assume and be liable for the charges and rights secured to Jacques Franchère, Doctor of Medicine, and others, of the village of Marieville, in the district of St. Hyacinthe, by deed of sale passed before Maître

G. Bombardier, notary public, the 19th day of June, 1877, under the number 865, which rights and charges are mentioned in the deed granted by the sheriff of the district of Montreal to Farrand Stewart Stranahan, in trust, in the year 1896, by which deed the said sheriff sold and handed over to the said Stranahan, in trust, the said railway belonging now to the Montreal and Province Line Railway Company.

9. The Company may, after acquiring the said roads as herein provided, enter into an agreement to transfer or lease them to the Grand Trunk Railway Company of Canada. <sup>Power to transfer to G. T. R.</sup>

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## 63-64 VICTORIA.

### CHAP. 57.

#### An Act to incorporate the Comox and Cape Scott Railway Company.

[Assented to 14th June, 1900.]

**W**HEREAS 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows :—

**1.** James Dunsmuir, Robert Milne Jeffrey, James Albert Lindsay, Leonard Hollis Solly and Henry Kendell Prior, all 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 Comox and Cape Scott Railway Company," hereinafter called "the Company."

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

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

**4.** The capital stock of the Company shall be six 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.

**5.** The head office of the Company shall be in the city of Victoria, in the province of British Columbia, or in such other place in Canada as the directors from time to time may determine by by-law.

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

**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.

**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 Wellington district, thence northerly to a point in Comox district, Vancouver Island, situate on or near the 50th parallel of latitude on or near to the east coast of Vancouver Island, thence northerly through Sayward and Rupert districts to Cape Scott, Vancouver Island, or to some other point at or near to the north end of Vancouver Island.

**9.** The Company may, for the purposes of its business, and in connection with its railway and branches,—

(a.) build, equip, own and maintain, steam and other vessels and boats, and operate the same between ports in and out of Canada and on the lakes and navigable rivers in Comox, Rupert and Sayward districts, and carry and convey passengers and freight and charge and collect tolls therefor, and carry on a general transportation and express business, and may dispose of such vessels;

(b.) construct, acquire and maintain wharfs, docks, elevators, warehouses and coal bunkers on the line of the said railway and branches and in connection with the operations of the Company, and may collect wharfage and storage charges for the use thereof;

(c.) acquire, provide and utilize water and steam power for the purpose of generating electricity, and may also sell or otherwise dispose of surplus electricity not required for its undertaking;

(d.) 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;

(e.) acquire, by lease, purchase or otherwise, any rights in letters patent, franchise or patent rights for the purposes of the works hereby authorized, and dispose of such rights.

**10.** 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.

**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.

**12.** The Company may from time to time receive by grant from any government or person as aid in the construction of the railway, vessels and works provided for in this Act, any real or personal property, sum of money, debentures, or subsidies, either as gifts by way of bonus, or guarantees, or in payment or as subventions for services, and may dispose of the same, and may alienate such property as is not required for the undertaking of the Company.

**13.** The Company may enter into an agreement with the Canadian Pacific Railway Company or the Esquimalt and Nanaimo 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 amalgamation with either 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 an agreement has also received the sanction of the Governor in Council.

2. Such sanction shall not be signified until after notice of the proposed application therefor has been published in the manner and for the time set forth in section 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.

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.







## 63-64 VICTORIA.

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### CHAP. 58.

#### An Act respecting the Cowichan Valley Railway Company.

[Assented to 14th June, 1900.]

**WHEREAS** the Cowichan Valley Railway Company has, Preamble.  
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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The time limited by section 12 of chapter 62 of the statutes of 1898 for the commencement of the railway of the Cowichan Valley Railway Company, and for the expenditure of fifteen per cent on the amount of the capital stock, is extended for two years from the thirteenth day of June, one thousand nine hundred, and the time limited by the said section for the completion of the railway of the said Company is extended for five years from the thirteenth day of June, one thousand nine hundred, and if such expenditure is not so made, and the railway is not so commenced and completed, the powers of construction granted to the said Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Time extended.

1898, c. 62.

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## 63 - 64 VICTORIA.

### CHAP. 59.

#### An Act respecting the Dominion Atlantic Railway Company.

[Assented to 7th July, 1900.]

**W**HEREAS the Dominion Atlantic Railway Company, Preamble.  
hereinafter called "the Company," was incorporated  
by chapter 47 of the statutes of 1895, for the purposes, 1895, c. 47.  
among others, of acquiring and operating the undertakings  
formerly known as the Windsor and Annapolis Railway, the  
Yarmouth and Annapolis Railway and the Cornwallis Valley  
Railway, all known now and operated as the Dominion  
Atlantic Railway; and whereas by section 8 of the said Act  
it was enacted that the capital stock of the Company should  
be five hundred thousand pounds, divided into thirteen  
thousand five hundred preference shares of twenty pounds  
each, and eleven thousand five hundred ordinary shares of  
twenty pounds each; and whereas by sub-section 4 of the said  
section 8 the directors were, upon the application of any  
shareholder, empowered to convert into preference stock any  
number of preference shares held by him, and into ordinary stock  
ordinary shares held by him, provided that the stock should  
only take the place of an equal amount at par of the shares of the  
same kind for which it was issued, and that the holders of such  
stock should have the same rights and privileges as to divi-  
dends, voting at meetings of shareholders and qualification  
to become directors of the Company, as if they were holders  
of an equal amount at par of the shares of the Company of the  
same class; and whereas the capital of the Company was by  
the directors, at the request and with the consent of the  
persons entitled thereto, all in fact issued as stock and not as  
shares, and the amount of such stock so issued was the  
amount authorized by the said section 8, namely, of preference  
stock two hundred and seventy thousand pounds and of  
ordinary stock two hundred and thirty thousand pounds,  
making five hundred thousand pounds in all, and it is  
expedient to ratify and confirm the action of the Company  
with regard to the said stocks; and whereas, in exercise of  
the powers conferred upon the Company by the said Act, the

Company has acquired the said undertakings formerly known as the Windsor and Annapolis Railway, the Yarmouth and Annapolis Railway, and the Cornwallis Valley Railway, upon the terms and conditions set forth and expressed in the deed of conveyance set forth in schedule A to this Act; and whereas the Company has exercised the borrowing powers conferred upon it by the said chapter 47 of the statutes of 1895 by creating and issuing the sum of five hundred thousand pounds of four per cent First Debenture Stock, and by creating and in part issuing three hundred and fifty thousand pounds of four per cent Second Debenture Stock, part of an intended total aggregate issue of four hundred and forty thousand pounds of four per cent second debenture stock, secured by deeds of trust bearing date respectively the seventeenth day of March, one thousand eight hundred and ninety-six, and the seventeenth day of April, one thousand eight hundred and ninety-six; and the Company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

Schedule A  
confirmed.

**1.** The deed of conveyance set forth in schedule A to this Act, dated the thirty-first day of December, one thousand eight hundred and ninety-five, is hereby ratified and confirmed and declared to be valid and binding on the parties thereto.

Schedule B  
confirmed.

**2.** The deed of trust dated the seventeenth day of March, one thousand eight hundred and ninety-six, set forth in schedule B to this Act, is hereby ratified and confirmed and declared to be valid and binding upon the Company, and the debenture stock issued by the Company upon the terms and conditions mentioned in the said deed is hereby declared to be valid and binding upon the Company as First Debenture Stock to the amount of five hundred thousand pounds, in the said deed mentioned.

Schedule C  
confirmed.

**3.** The deed of trust dated the seventeenth day of April, one thousand eight hundred and ninety-six, set forth in schedule C to this Act, is hereby ratified and confirmed, and declared to be valid and binding upon the Company, and the debenture stock issued and hereafter to be issued by the Company upon the terms and conditions mentioned in the said deed is hereby declared to be valid and binding upon the Company as Second Debenture Stock to the amount of four hundred and forty thousand pounds, in the said deed mentioned.

Issue of exist-  
ing capital  
stock  
confirmed.

**4.** The issue of the existing capital stock of the Company, consisting of five hundred thousand pounds of stock, of which two hundred and seventy thousand pounds is preference stock and two hundred and thirty thousand pounds is ordinary stock,

stock, is hereby confirmed and declared to be valid and binding upon the Company.

5. Section 8 of chapter 47 of the statutes of 1895 is repealed. 1895, c. 47, s. 8 repealed,

6. The capital stock of the Company shall consist of the said five hundred thousand pounds of stock, of which two hundred and seventy thousand pounds is preference stock and two hundred and thirty thousand pounds is ordinary stock, and shall have the qualifications and incidents hereinafter mentioned. Capital stock.

2. The said preference stock shall, up to five per cent per annum, entitle the holders thereof to rank first for dividends on the net profits of the Company; but if, in any year, the net profits of the Company shall not be sufficient to pay a dividend of five per cent to the holders of the preference stock the holders of such stock shall not be entitled to any cumulative preference in ranking for dividends upon the net profits of the next or any succeeding year, and the deficiency of any year shall not be paid or made good out of the income of any succeeding year. Preference stock.

3. Any profits remaining after payment of the dividend upon the preference stock, and divisible among the holders of ordinary stock as dividend (subject to the provisions of *The Railway Act*), shall be divided amongst the holders of ordinary stock. Dividends to ordinary stockholders.

4. The Company may, by by-law, make provision for the registration of the holders of the capital stock, the form and mode of transfer and all other regulations in reference thereto. Transfers of stock.

5. Every holder of preference and ordinary stock shall have one vote for each twenty pounds of stock held by him, subject to the regulations of the Company from time to time in force requiring registration, and all the provisions of *The Railway Act* shall apply to holders of twenty pounds and upwards of capital stock as if they were shareholders. Voting.

7. The capital stock of the Company may be increased from time to time in the manner hereinafter provided. The additional stock so authorized to be created may be either preference or ordinary stock, or may consist partly of preference and partly of ordinary stock, and may be issued upon such terms and conditions, and with such rights, privileges and priorities annexed thereto, as may be sanctioned by the stockholders. The amount of such increase and the proportion which shall be issued as preference stock or ordinary stock, respectively, and the terms and conditions upon which the same shall be issued, and the rights, privileges and priorities to be annexed thereto, shall be fixed and determined by a by-law of the directors, which shall be subject to the approval of the Governor in Council; provided that the said by-law shall have been first sanctioned by a vote, in person or by proxy, Power to increase capital.  
Approval of shareholders and Governor of in Council.

of the stockholders who hold at least two-thirds in amount of the subscribed stock of the Company, at a meeting expressly called for that purpose by a notice in writing to each stockholder, delivered to him personally, or properly directed to him and deposited in the post office, at least twenty days previous to such meeting, stating the time, place and object of such meeting and the amount of the proposed increase, and the proceedings of such meeting shall be entered in the minutes of the proceedings of the Company, and thereupon the capital stock may, with such approval, be increased to the amount sanctioned by such vote.

Calls on new capital stock.

**8.** Any additional capital authorized to be issued under the powers contained in section 7 of this Act 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 stock subscribed.

Reserve fund.

**9.** The directors, after being first authorized by a vote of two-thirds in amount of the stockholders who are present or represented by proxy at any annual meeting, may, from time to time, set aside out of the profits of the Company such sums as they think proper as reserved funds to meet contingencies, or for equalizing dividends, or for repairing, maintaining, renewing or extending any property or works belonging to or connected with the business of the Company, or any part thereof, or for an insurance fund against loss or damage of the property of the Company either by fire or by perils of the sea, or for any other purposes of the Company, and may invest the sums so set apart as reserved funds in the business of the Company, or upon such securities as the directors may select.

Election of directors.

**10.** At the annual meeting the subscribers for the capital stock assembled, who have paid all calls due on their stock, shall choose three persons to be directors of the Company.

Increase of directors.

**2.** The Company may, from time to time, by by-law, increase the number of directors to any number not exceeding four, and may also, from time to time, by by-law diminish the number of directors, but so that they shall not be less than three.

Voting by proxy.

**11.** Every stockholder may vote by proxy at any meeting of the Company if he sees fit, and the form of appointment may be given in the words, or to the effect, of the form in section 44 of *The Railway Act*, or in the form, or to the effect, prescribed by the by-laws of the Company.

Borrowing powers.

**12.** The directors may, from time to time, and as often as they deem it expedient so to do, borrow money for the purposes of the Company, provided that the sum so borrowed shall not at any time exceed in the aggregate seventy-five thousand pounds in addition to the debenture stock of the Company.

**13.** In addition to the powers conferred upon the directors by the preceding section, the directors, under the authority of a resolution of the stockholders may, from time to time, at their discretion, and as often as they deem it expedient, borrow such sums of money for the purposes of the Company at such rates of interest and upon such terms as the stockholders determine, or, in default, as the directors think proper, and may secure the repayment of the said moneys in such manner and upon such terms and conditions as they see fit, and, for such purposes, may mortgage, pledge, hypothecate or charge the ships or vessels of the Company and all or any of the assets and property of the Company not comprised in the mortgages from time to time created and charged upon the railway of the Company to secure the Company's issue or issues of debenture stock. Power to mortgage.

2. The borrowing powers contained in subsection 1 of this section shall be exercised only at a special general meeting called for the purpose in the manner provided by section 41 of *The Railway Act*, at which meeting stockholders representing at least two-thirds in value of the subscribed stock of the Company and who have paid all calls due thereon are present in person or represented by proxy. Approval of stockholders.

**14.** The Company may,—

(a.) in the operation of its steamship business charge on all property placed with it, or in its custody, such fair remuneration as may be fixed upon by the directors for storage, warehousing, wharfage, dockage, cooperage, or any other care or labour in and about any such property on the part of the Company over and above the regular freight and primage upon the said property which shall have been carried or may be carried by them ; Powers.  
Charges for storage, etc.

(b.) recover all charges and moneys paid or assumed by it subject to which goods come into its possession, and, without any formal transfer, shall have the same lien for the amount thereof upon such goods as the persons to whom such charges were originally due had upon such goods while in their possession, and the Company shall be subrogated by such payment to the rights and remedies of such persons for such charges ; Recovery of charges.  
Lien.

(c.) in the event of non-payment of freight advances and other charges when due upon goods or property in its possession or under its control, sell at public auction the goods whereupon such advances and other charges have been made, and retain the proceeds, or so much thereof as is due to the Company, together with the costs and expenses incurred in and about such sale, returning the surplus (if any) to the owner of such goods or property ; but, before any such sale takes place, thirty days' notice of the time and place of such sale and of the amount of the charges or moneys payable to the Company in respect of such goods or property shall be given by registered letter, transmitted through the post office to the last known address of the owner of any such goods or property, except Sale of goods for charges.  
Notice of sale.



cept in the case of perishable goods or effects which may be sold after the expiration of one week, or sooner, if necessary, unless otherwise provided in the contract between the parties.

Promissory  
notes.

**15.** The Company may become a party to, but may not make or issue, promissory notes and bills of exchange for sums less than one hundred dollars, and section 98 of *The Railway Act* shall extend and apply to promissory notes and bills of exchange to which the Company shall or may become a party, whether such bills of exchange or promissory notes are, or are not, less than one hundred dollars.

#### SCHEDULE A.

THIS INDENTURE made the thirty-first day of December in the year of our Lord one thousand eight hundred and ninety-five in eight original parts between The Windsor and Annapolis Railway Company Limited incorporated in England as The Windsor and Annapolis Railway Company Limited and having its registered office at No. 6 Great Winchester Street London England (hereinafter called the "Windsor Company") of the first part Charles Fitch Kemp of 73 Lombard Street London England Accountant and William Ross Campbell of No. 6 Great Winchester Street aforesaid gentleman the liquidators of the Windsor Company (hereinafter called the "Liquidators") of the second part The Dominion Atlantic Railway Company a company incorporated by an Act of the Parliament of Canada 58 and 59 Victoria chapter 47 having its head office in England at No. 6 Great Winchester Street aforesaid (hereinafter called the "Dominion Company") of the third part and Francis Tothill of the Grove Stoke Bishop England Thomas Robert Ronald of Richmond Surrey England and Robert Lee Campbell of 40 St. Augustine's Road Camden Town in the County of London England (hereinafter called the "Provisional Board") of the fourth part Whereas the Windsor Company was on the 1st day of March 1867 incorporated and registered in England under *The Companies Act, 1862* as a limited Company and whereas the said company having found that the powers contained in its memorandum of association required to be enlarged was for that reason and other reasons desirous of winding up the Windsor Company as incorporated in England under *The Companies Act 1862* and of organizing a Canadian company to be incorporated under an Act or Acts of the Parliament of Canada and by such Act or Acts obtaining power for such company to take over the undertakings of the Windsor Company with all its assets liabilities and obligations and for other purposes as in such Act appears and whereas at an extraordinary general meeting of the members of the Windsor Company duly convened and held at the Cannon Street Hotel London England on the 12th day of March 1895 the following resolutions with another not necessary to be herein recited were duly passed

and at a subsequent extraordinary general meeting of the members of the said company duly convened and held at the offices of the Company 6 Great Winchester Street in the said city of London on the 29th March 1895 the same resolutions were duly confirmed as special resolutions *i. e.* (1) That it is desirable to reconstruct the Company and accordingly that the Company be wound up voluntarily and that Charles Fitch Kemp and William Ross Campbell be and are hereby appointed liquidators for the purposes of such winding up (2) That the draft bills now submitted to this meeting having for their object obtaining from the Parliament of Canada power for the above-named Company to sell and transfer its undertaking railways and effects to a company to be constituted in Canada for taking over the same and also to wind up the affairs of the above-named Company in the Dominion as such drafts have already been approved by the directors be and the same are hereby approved and that the liquidators be and they are hereby authorised to proceed with the petitions and applications for obtaining the passing into law by the Canadian Parliament of the said bills with power to consent to such modifications of the said drafts as they may think expedient (3) That in the event of the said bills with or without modification becoming Acts of the Parliament of Canada the liquidators shall forthwith proceed to sell and transfer to the Company authorised to be incorporated in Canada all the undertakings of the above named Company on the terms and conditions in such Acts contained and to wind up and dissolve the above named Company as directed by such Acts or either of them and under the Winding-up Acts affecting it" And whereas a printed copy of such resolutions was forwarded to the Registrar of Joint Stock Companies and the same was duly recorded by him on the 2nd day of April 1895 and notice of the winding-up of the Windsor Company and of the appointment of the liquidators under the same was given by advertisement thereof in the *London Gazette* of the 31st day of May 1895 and also in the *Canada Gazette* published at Ottawa and the *Royal Gazette* published at Halifax Nova Scotia. And whereas the two bills drafts whereof were by the said resolutions approved have with such alterations only as the liquidators approved been passed into law by the Parliament of Canada and both received the Royal Assent on the 22nd day of July 1895 the one being chapter forty-seven of the Dominion Statutes of 1895 and entitled "An Act to incorporate the Dominion Atlantic Railway Company" and the other being chapter sixty-nine of the Dominion Statutes of 1895 and entitled "An Act respecting the Windsor and Annapolis Railway Company Limited and whereas the said parties of the second part are the liquidators of the Windsor Company duly appointed under the provisions of "The Companies Acts" for that purpose and whereas by the said Act of Parliament of Canada chapter forty-seven of the Dominion Statutes 1895 the said parties of the fourth part were appointed to be the provisional

Directors of the Dominion Company And whereas by the said Act of the Parliament of the Dominion of Canada chapter sixty-nine of the Dominion Statutes of 1895 the Windsor Company were authorised to sell for the considerations and upon the terms and conditions set forth in the said Act and upon such other terms and conditions as should be mutually agreed upon between the Windsor Company or its liquidators and any company authorised to purchase the same All and singular the property and undertakings therein and hereinafter mentioned And whereas by the said Act of the Parliament of Canada chapter forty-seven of the Dominion Statutes of 1895 the Dominion Company was incorporated and was thereby authorised to purchase for the consideration and upon the terms and conditions therein and hereinafter mentioned All and singular the property and undertakings hereinafter mentioned and described And whereas by the said in part recited Acts it was provided that the consideration for the said sale and purchase should be the sum of five hundred thousand pounds (£500000) to be paid at the option of the Dominion Company in cash or shares subject to the existing debt of the Windsor Company created by the issue of debenture stock amounting to the sum of five hundred thousand pounds (£500000) secured by a mortgage to trustee dated the 3rd day of September 1894 and registered in the office of the Secretary of State for Canada on the 31st day of October 1894 and a further deed supplemental thereto dated the 28th day of March 1895 and in addition thereto that the Dominion Company should pay and discharge the costs and expenses mentioned in section 2 of the said chapter 69 above recited and whereas the Dominion Company has elected to pay the consideration for the said purchase (except such part thereof as may be required to meet the claims of dissentient shareholders [if any] which they have agreed to pay in cash as hereinafter provided) by the issue of capital stock of the Dominion Company to the aggregate amount of £500000 representing thirteen thousand five hundred (13500) fully paid up preference shares of twenty pounds (£20) each making a nominal sum of two hundred and seventy thousand pounds (£270000) and eleven thousand five hundred (11500) fully paid up ordinary shares of twenty pounds (£20) each making the further nominal sum of two hundred and thirty thousand pounds (£230000) the certificates for all such stock to be issued by the Provisional Board or the Board of Directors of the Company on behalf of and as representing the Dominion Company and to be delivered to the liquidators as representing the Windsor Company or as the liquidators shall direct for distribution among the shareholders in the Windsor Company according to their rights thereto respectively as provided by the fourth section of the agreement of the Twelfth day of October 1893 set forth in the schedule to the Act, chapter 69 of the statutes of Canada for the year 1895. And where-

as in exercise of the powers conferred upon them by the said Act of the Parliament of Canada chapter 47 of the statutes of 1895 and all other (if any) the powers thereunto them enabling the provisional board and the board of directors of the Company have on or before the execution of these presents issued the said capital stock amounting to £500,000 and representing the said thirteen thousand five hundred (13500) fully paid-up preference shares in the capital of the Dominion Company and the said eleven thousand five hundred (11500) fully paid-up ordinary shares in the said capital to the liquidators or to the shareholders of the Windsor Company as directed by the liquidators and have handed over to the liquidators or by their direction to the shareholders of the Windsor Company who have surrendered their respective certificates of shares in the Windsor Company for cancellation and exchange all the certificates for the said capital stock of the Dominion Company Now this indenture witnesseth that for the purpose of effecting the reconstruction of the said Windsor Company and in consideration of the capital stock of the Dominion Company issued as aforesaid (the receipt whereof and the handing over of the respective certificates to the persons and in the manner aforesaid the liquidators do hereby acknowledge) and in consideration of the premises and the agreements and covenants hereinafter contained the Windsor Company by and with the consent and direction of the liquidators acting as such doth hereby grant and assign unto the Dominion Company all the property of the Windsor Company with its lands franchises powers rights privileges equipments stations plant rolling stock materials stores and appurtenances and generally the undertakings formerly known as the Windsor and Annapolis Railway and the Yarmouth and Annapolis Railway and now jointly known and operated under the name of the Dominion Atlantic Railway as defined by section 8 of the Act of the Parliament of the Dominion of Canada chapter 69 of the Statutes of 1894 and also the undertaking and property of the Cornwallis Valley Railway together with all its lands franchises powers, rights privileges and equipments stations plant rolling stock materials stores and appurtenances now owned by the Windsor Company and all rights liberties privileges easements profits commodities emoluments hereditaments and appurtenances whatsoever to the lands of the said Windsor Company belonging or in anywise appertaining or with the same demised held used occupied and enjoyed or taken or known as part thereof and also the reversion and reversions remainder and remainders yearly and other rents issues and profits of the said lands and of every part and parcel thereof and all the estate right title interest inheritance use trust property profit possession claim and demand whatsoever of the Windsor Company in to out of or upon the said lands and every part and parcel thereof with their and every of their appurtenances And also all and singular the goods chattels credits debts and effects of the Windsor Company in the United Kingdom

or the Dominion of Canada or elsewhere and the business and good-will of the said railways together with the benefit of all contracts and agreements heretofore made or entered into by the Windsor Company or by any one on their behalf or inuring to the benefit of the said Company and of all securities for debts and choses in action to which the Windsor Company is or may be entitled and all the real and personal property of the Windsor Company whatsoever and wheresoever situate except such parts thereof as passed by delivery and have on or before the execution of these presents been delivered or handed over by the liquidators to the Dominion Company subject nevertheless as to all the said premises whether the same be excepted or not to the existing debt of the Windsor Company created by the issue of debenture stock amounting to five hundred thousand pounds (£500,000) secured by the aforesaid mortgage to trustees dated the 3rd day of September 1894 and the indenture supplemental thereto dated the 28th day of March 1895 and to all other mortgages charges liens and incumbrances affecting the same premises or any part or parts thereof To have and to hold the same premises as to such parts thereof as are of a freehold tenure unto and to the use of the Dominion Company its successors and assigns for ever in fee simple and as to all other parts thereof unto the Dominion Company and its assigns absolutely And the Windsor Company for the considerations aforesaid and in pursuance of the authority expressed and contained in the said Act chapter 47 section 17 of the statutes of 1895 under the direction and with the consent of the liquidators doth hereby assign unto the Dominion Company and its assigns All and singular the agreement respecting the lease of the Windsor Branch of the Intercolonial Railway dated the 13th day of December 1892 and made between Her Majesty represented therein by the Minister of Railways and Canals of the one part and the Windsor Company of the other part To hold the same unto the Company and its assigns absolutely subject to the payment of the rents and to the performance of the covenants provisoes and conditions contained in the said Agreement of Lease And in further consideration of the premises the Dominion Company doth hereby for itself and its successors and assigns covenant with the Windsor Company and with the liquidators to pay and discharge the debt of the Windsor Company created by the issue of five hundred thousand pounds (£500,000) Debenture Stock of the Windsor Company secured as aforesaid and also to pay and discharge all the costs and expenses both of the Windsor Company and of the Dominion Company connected with the obtaining of the said two Acts of the Parliament of Canada chapters 47 and 69 of the Statutes of 1895 and of any other Acts which may be passed or applied for to enable the Dominion Company to purchase and acquire the undertaking of the Windsor Company and also the costs and expenses of the Windsor Company and of the liquidators and of the provisional

board of the Dominion Company in connection with the sale and purchase aforesaid and also the costs of winding up and dissolving the Windsor Company And the Dominion Company doth hereby for itself its successors and assigns further covenant with the Windsor Company and with the liquidators that if the liquidators in order to carry the sale aforesaid into effect shall have occasion to purchase the interest of any dissentient member or members of the Windsor Company under the provisions of sections 161 and 162 of The Companies Act 1862 or otherwise then and in every such case the Dominion Company will pay to the liquidators such sum or sums as may be necessary to purchase the interests of such dissentients and to cover all costs and expenses incurred by the liquidators in and about such dissent and purchase of the interest aforesaid and any sums so paid shall be reckoned as part of the consideration aforesaid and the liquidators shall hold the shares in the capital stock of the Dominion Company and the certificates thereof which would have been distributed to the dissentient members if they had not dissented in trust for the Dominion Company to deal with the same in such manner as the Dominion Company may direct And the liquidators hereby covenant with the Dominion Company that they the liquidators will at the cost of the Dominion Company forthwith apportion and distribute to and among those shareholders of the Windsor Company who have not yet surrendered their shares in the capital of the Windsor Company for cancellation and exchange for shares in the capital stock of the Dominion Company such of the certificates of the said capital stock of the Dominion Company handed over to the liquidators as aforesaid as represent the proportion either of the said thirteen thousand five hundred (13500) fully paid-up preference shares in the capital stock of the Dominion Company or of the eleven thousand five hundred (11,500) fully paid-up ordinary shares in the same capital to which such shareholders of the Windsor Company are respectively entitled on the surrender of their shares in the capital of the Windsor Company and will divide the same in the proportions in which the said shareholders respectively may be entitled thereto and will upon application by any such shareholders hand over to them him or her the certificates to which they respectively may be entitled, and will until such application and distribution hold the said certificates in trust for the persons ultimately entitled thereto and will so far as is practicable obtain from every such shareholder prior to the delivery to him or her of the certificate of shares in the Dominion Company the surrender of the certificate of the shares in the Windsor Company held by him or her in respect of which the several shares in the Dominion Company are appropriated to him or her respectively and will hand over to the Dominion Company all certificates of shares in the Windsor Company thus received in exchange and as to certificates representing any

any part of the capital stock of the Dominion Company handed over to the liquidators and not required for such distribution the liquidators shall hold the same as part of the property of the Windsor Company hereby transferred to the Dominion Company to be dealt with as the Dominion Company shall direct In witness whereof the said Windsor Company the party hereto of the first part hath hereunto set its corporate seal and the said liquidators the parties hereto of the second part have executed the same under their hands and seals respectively and the said Dominion Company the party hereto of the third part hath hereunto set its corporate seal and the said Provisional Board the parties hereto of the fourth part have executed the same under their hands and seals respectively the day and year first above written.

The Common Seal of The Windsor and Annapolis Railway Company Limited was hereunto affixed in the presence of



C. FITCH KEMP }  
W. R. CAMPBELL } Liquidators.

Signed sealed and delivered by }  
the above-named Charles }  
Fitch Kemp in the presence }  
of } C. FITCH KEMP. [L.S.]

T. O. CHAPMAN,  
50 Old Broad Street,  
London, E.C.,  
Solicitor.

Signed sealed and delivered by }  
the above-named William }  
Ross Campbell in the pre- }  
sence of } W. R. CAMPBELL. [L.S.]

T. O. CHAPMAN.

The Seal of The Dominion Atlantic Railway Company was hereunto affixed.

FRANCIS TOTHILL,  
President.



Signed sealed and delivered }  
by the above-named Francis }  
Tothill in the presence }  
of } FRANCIS TOTHILL. [L.S.]

FRANK WALFORD,  
6 Great Winchester Street,  
London, E.C.,  
Clerk.

Signed sealed and delivered }  
 by the above-named Thos.  
 Robert Ronald in the pre- } TH. R. RONALD. [L.S.]  
 sence of }  
 FRANK WALFORD

Signed sealed and delivered }  
 by the above-named Robert  
 Lee Campbell in the pre- } R. LEE CAMPBELL. [L.S.]  
 sence of }  
 FRANK WALFORD

### SCHEDULE B.

THIS INDENTURE made the seventeenth day of March 1896 between the Dominion Atlantic Railway Company having its head office at No. 6 Great Winchester street in the city of London England (hereinafter called "the Company") of the first part Charles Emanuel Leonino of 21 Via Borgo Nuovo Milan in the Kingdom of Italy Esquire and Charles Fitch Kemp of 73 Lombard street in the said city of London Esquire of the second part and the said Charles Emanuel Leonino and Charles Fitch Kemp and William Sopper of 30 Throgmorton street in the said city Esquires of the third part Whereas the Company was incorporated by the Act of Parliament of Canada 58 and 59 Vict. c. 47 (1895) having for its objects (among other things) the acquisition and working of the several railways formerly known as the Windsor and Annapolis Railway the Yarmouth and Annapolis Railway and the Cornwallis Valley Railway (and which were then together operated and known as the Dominion Atlantic Railway) with the right by agreement with Her Majesty as hereinafter mentioned to work the railway extending from Windsor to Windsor Junction all in the Province of Nova Scotia Dominion of Canada and to exercise running powers over the Intercolonial Railway between the said Windsor Junction and Halifax in said Province of Nova Scotia all which railways were then worked by the Windsor and Annapolis Railway Company Limited as then incorporated in Canada under the name of the Dominion Atlantic Railway Company And whereas in the exercise of the powers conferred on the Company by the said Act the Company has purchased the railways and all other the property movable and immovable hereinafter expressed to be hereby granted conveyed and assigned and the same is vested in the Company by an Indenture dated the 31st day of December 1895 made between the Windsor and Annapolis Railway Company Limited of the first part the Liquidators of such last mentioned Company of the second part the Company of the third part and Francis Tothill Thomas Robert Ronald and Robert Lee Campbell of the fourth part for the considerations and subject as therein mentioned And

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whereas



whereas such purchase was made subject to the then and now existing debt of the said Windsor and Annapolis Railway Company Limited (hereinafter referred to as the Windsor Company) created by the issue of £4 per cent Terminable Debenture Stock for the sum of £500 000 secured by a Mortgage to Trustees dated the 3rd day of September 1894 made between the Windsor Company of the one part and the said Charles Emanuel Leonino and Charles Fitch Kemp of the other part and registered in the office of the Secretary of State for Canada on the 31st day of October 1894 and an Indenture supplemental thereto dated the 28th day of March 1895 made between the same parties and registered in the same office on the 8th day of June 1895 and to all other mortgages charges liens and incumbrances affecting the same premises or any part or parts thereof And whereas among the conditions of issue of such last mentioned terminable debenture stock it was provided that if the Windsor Company should be reconstituted or be amalgamated with or transferred to any other railway company in the Dominion of Canada the Windsor Company might give notice to the stockholders requiring them to surrender their Stock and the Certificates for the same in exchange for a like amount of £4 per cent terminable debenture stock in the Company as reconstituted or in such other railway company as the Windsor Company should be amalgamated with or transferred to and for such purpose might require surrender of the Stock Certificates and every such requisition should be binding upon the stockholders provided that in case of any terminable debenture stock and the Certificate therefor to be given in exchange the same should bear the same rate of interest and be subject to the like incidents of repayment and redemption as the £4 per cent terminable debenture stock of the Windsor Company and be secured by a trust deed approved by the Trustees of the above-mentioned Trust Deed And whereas by the said Act of the Parliament of Canada 58 and 59 Vict. c. 47 the Company was empowered to borrow money in the manner prescribed by section 93 of The Railway Act and to secure the repayment of any money so borrowed as in the said Act is provided and to issue bonds debentures or debenture stock and to mortgage the property of the Company as security with provisions for the voting of the shareholders of the Company at a meeting convened to authorize any borrowing or issue of bonds debentures or debenture stock and provided the amount of money so borrowed should not exceed in all the sum of £5000 per mile of the said railway and branches constructed or under contract to be constructed including the debenture stock representing the existing debt And whereas the number of miles of railway and branches belonging to the Company already constructed is 188 miles and the borrowing powers extend to a sum of £940000 no portion of which has yet been raised except as hereinafter appears And whereas at a special meeting of the Company duly convened and held on the 17th day of March

1896 the Company authorized the directors to create and issue £4 per cent First debenture stock of the nominal amount of £500000 to be issued to the registered holders for the time being of the terminable £4 per cent Debenture stock of the Windsor and Annapolis Railway Company Limited in exchange for a like amount of such last mentioned stock as held by them respectively and as to any residue of the same £4 per cent First debenture stock not required for exchange as aforesaid to be dealt with as the directors should think fit And whereas the directors of the company have resolved and thought fit in exercise of the authorities conferred upon them as foresaid to create and issue £4 per cent First debenture stock of an aggregate amount of £500000 and to secure the same and the interest thereof by a trust deed of the property of the Company hereinafter expressed to be hereby conveyed and assigned in the manner and upon the terms and conditions hereinafter appearing And whereas the said Charles Emanuel Leonino and Charles Fitch Kemp the present Trustees of the said Indenture of the 3rd day of September 1894 have agreed to join in these presents to express their approval thereof as a Trust Deed for securing the said £4 per cent first debenture stock and also for other the purposes hereinafter appearing.

Now this indenture witnesseth and it is hereby agreed covenanted and declared as follows:—

1. (a) In these presents and in the Schedules hereto unless there is something in the subject or context inconsistent therewith the words “the trustees hereof” shall refer to and describe and the same shall in all cases be construed to mean the person or persons or the Company who for the time being shall be charged with the execution of the trusts of these presents whether such person or persons or company shall be the said persons party hereto of the third part or the survivors or survivor of them or the successors or a successor of the said persons party hereto of the third part or any or either of them respectively.

(b.) “The stock” means the aggregate amount of the said £500000 £4 per cent first debenture stock for the time being issued and not redeemed. “The stockholders” means the several persons or companies for the time being entered in the register hereinafter mentioned as holders of any part of the stock.

(c.) The stockholders are to be regarded as beneficial owners of their respective parts of the stock and the company as and when the stock or any part thereof ought to be redeemed or paid off in accordance with the provisions in the body of these presents or the conditions in the first schedule hereto contained will pay to the stockholders whose stock ought to be redeemed the full nominal amount of the stock held by them respectively at the rate and in the manner hereinafter provided and such payment shall operate in satisfaction of the amount of the stock so redeemed or paid off and the amount for the time being unredeemed shall bear interest at the rate of £4 per

cent per annum payable as in these presents and in the said first schedule mentioned.

(d.) The stock and every part thereof shall be held subject to the conditions and regulations set forth in the first and second schedules hereto and such conditions and regulations shall be binding on the company and the stockholders and every of them and all persons claiming through them respectively.

2. The company hereby covenants with the trustees hereof that the company will duly and punctually pay the interest and principal of the stock as and when the same becomes due and payable according to the provisions of these presents and the schedules hereto and will observe and perform all the stipulations and provisions of these presents which on the part of the company ought to be observed and performed.

3. In consideration of the premises the company with the consent hereby testified of the said Charles Emanuel Leonino and Charles Fitch Kemp doth hereby grant convey and assign unto the said persons party hereto of the third part their heirs executors administrators and assigns as trustees hereof All and singular its undertaking now operated and known as the Dominion Atlantic Railway in the Dominion of Canada including the Railways formerly known as the Windsor and Annapolis Railway the Yarmouth and Annapolis Railway and the Cornwallis Valley Railway together with all the lands and hereditaments belonging to the company as incorporated by the Act of the parliament of the Dominion of Canada 58-59 Vic. c. 47 and the franchises powers rights privileges rolling stock plant tolls and revenue and all other the property real and personal movable and immovable now owned by the company wheresoever the same be situate (save and except any steamer or other vessel now or at any time hereafter owned by the company or in which it may have or acquire an interest) and all the estate right title interest claim and demand of the company in to and upon the premises and every part thereof with their and every of their appurtenances and also all the right title and interest of the company of in and to the Windsor branch under and by virtue of an agreement between Her Majesty and the Windsor company dated the 13th day of December 1892 and also all the right title and interest of the Company in the running powers over the Intercolonial Railway between the said Windsor Junction and Halifax as in the said agreement mentioned and all other the rights easements liberties and privileges conferred upon the Company by the said agreement subject to the payment to Her Majesty of one-third of the gross earnings as provided by the said agreement and to the covenants provisoes and conditions in the said agreement mentioned and expressed and subject as to all the said premises to the said indenture dated the 3rd day of September 1894 and the said indenture supplemental thereto dated the 28th day of March 1895 until all the £4 per cent terminable debenture stock of the Windsor

Company thereby secured shall be exchanged or redeemed And also to the other charges liens and incumbrances affecting the same premises or any part or parts thereof referred to in the said indenture dated the 3rd day of September 1894 so far as at the date of these presents such charges liens and incumbrances are subsisting To Have and to hold the said undertaking railway franchises powers rights privileges rolling stock plant tolls and revenues and all other property and premises real and personal movable and immovable (except as aforesaid) hereby granted conveyed and assigned or expressed so to be unto and to the use of the said persons party hereto of the third part their heirs executors administrators and assigns for ever according to the tenure and nature thereof as joint tenants and not as tenants in common but upon and for the trusts and purposes hereinafter expressed of and concerning the same.

4. The said premises hereinbefore expressed to be hereby granted conveyed and assigned subject as aforesaid are together herein called "the mortgaged premises" and shall as and from the date hereof be held by the trustees hereof upon the trusts following i.e. upon trust to permit the Company to retain possession of the said undertakings railways and property and all other the mortgaged premises and to manage the same and to operate the said railways and every part thereof and to receive and take all the tolls revenue and income thereof and to carry on the business of the Company and to sell or otherwise dispose of any portions of the surplus lands of the Company and such parts of the machinery plant chattels and property of the Company at any time used in carrying on the business of the Company as it shall consider to be unfit or unnecessary for the said business so long as the Company shall punctually pay all the principal moneys and interest which ought to be paid in accordance with these presents and shall keep fulfil and observe all the covenants conditions and stipulations herein contained and to be kept fulfilled and observed by the Company and upon further trust upon default in payment of the principal moneys or of the interest moneys secured hereby or of any portion of the said principal or interest for the space of three calendar months after such principal moneys or interest shall respectively become payable according to the tenor of these presents or upon default for the space aforesaid in the keeping fulfilling and observing by the Company of any of the terms and conditions herein stipulated to be kept fulfilled and observed by the Company then so that if the trustees hereof shall see fit they may forthwith with or without any notice to the Company but subject to the rights (if any) then subsisting of the trustees of the said indenture dated the 3rd day of September 1894 and the indenture supplemental thereto dated the 28th day of March 1895 and any other then subsisting charges liens and incumbrances aforesaid take possession of the said railways undertakings property and mortgaged premises and every or any part thereof and thereupon as the trustees hereof manage operate and

control the same and after providing for all expenses incident to the working of the said railways and keeping the mortgaged premises in a condition suitable for the business they shall subject as aforesaid apply the net proceeds of any sale of the mortgaged premises for the purposes of the trusts herein contained and upon the further trust that upon default in payment of the principal moneys or of the interest moneys secured hereby or any part thereof for the space of three months after such principal moneys or interest moneys shall respectively become payable according to the tenor of these presents and upon a requisition in writing signed by stockholders representing or being a majority in value of the holders of the stock the trustees hereof shall subject as aforesaid sell the said undertakings railways franchises property and other the mortgaged premises or some parts thereof and for the purposes aforesaid or any of them make execute and do all such agreements assurances and things as the trustees hereof shall see fit Provided that after such default and requisition as aforesaid the trustees hereof shall give at least two calendar months' notice to the Company of their intention to exercise the aforesaid power of sale by serving a copy of such notice on the president or secretary of the Company for the time being and by publishing an advertisement for the period of four weeks at least which period may be wholly or in part concurrent with that of the notice last aforesaid showing the time place and particulars of the said intended sale such advertisements to be published in two issues at least in each week of one daily newspaper published in London England and in Halifax, Nova Scotia, and also in *The Canada Gazette* or some other official paper circulating in the Dominion of Canada.

5. Provided further that the trustees hereof shall have full power to sell the mortgaged premises either by public auction or private contract and upon every such sale to make any special or other stipulations as to title or evidence or commencement of title or otherwise which the trustees hereof shall deem proper and to buy in or rescind or vary any contract for sale of the mortgaged premises or any part thereof and to resell the same without being responsible for any loss which may be occasioned thereby and with full power to compromise and effect composition and for the purposes aforesaid or any of them to execute and do all such assurances and things as they shall think fit but so that the railways and undertaking of the Company shall not be sold except in one parcel or in sections capable of being separately worked to the intent that the railways or several sections thereof offered for sale may so far as practicable be continued and operated as a going concern or concerns or be capable of being so operated Provided always that any lands or chattels not required for the use and operation of the railways or any parts thereof may be sold in separate parcels at the discretion of the trustees hereof.

6. Provided nevertheless that if before any such sale shall have actually taken place the Company shall have paid to all

the holders of the said £4 per cent First debenture stock then unredeemed the principal moneys if any then payable and the interest moneys in default as aforesaid and shall have given notice thereof to the trustees hereof and shall further pay to the trustees hereof all such further sums as shall then be chargeable by them against the trust by reason of the entering upon operating or managing the said railways or otherwise and all the costs charges and expenses by the trustees hereof incurred in or about the proceedings connected with such sale then the trustees hereof shall not proceed with any such sale but shall immediately discontinue all proceedings to carry out the same.

7. Provided always that the trustees hereof may from time to time and so often as may be necessary on default as aforesaid and upon receiving a requisition signed as aforesaid proceed to exercise the aforesaid power of sale.

8. Upon any sale made in pursuance of the aforesaid power or trust in that behalf the purchaser or purchasers shall not be bound to see or inquire whether any such requisition in writing has been given by or on behalf of the Stockholders as aforesaid nor whether any default has been made by the Company in payment of any principal moneys or interest secured by these presents nor as to the necessity or expediency of the stipulations and conditions subject to which any such sale shall have been made nor otherwise as to the propriety or regularity of any such sale and notwithstanding any impropriety or irregularity whatsoever in any such sale the same shall so far as regards the safety and protection of the purchaser or purchasers be deemed to be valid and effectual accordingly and the remedy of the Company and its assigns in respect of any impropriety or irregularity whatsoever in the execution of the said trusts for sale shall be in damages only.

9. Upon any such sale as aforesaid the receipt of the trustees hereof for the purchase-money of the premises sold and for any other moneys paid to them shall effectually discharge the purchaser or purchasers or other person or persons paying the same therefrom and from being concerned to see to the application or being answerable for the loss or misapplication thereof.

10. The trustees hereof shall hold the moneys which shall arise from any sale made in pursuance of the aforesaid trusts in that behalf upon trust that they in the first place shall by and out of the same reimburse themselves or pay and discharge the costs charges and expenses incurred in or about such sale or in the execution of the foregoing trusts or otherwise payable to them under or in respect of these presents and in the next place shall subject to the rights of any persons entitled to any interest in the mortgaged premises under the said Indenture of the 3rd day of September 1894 or the said Indenture of the 28th day of March 1895 or otherwise as aforesaid apply the residue of such moneys first in or towards payment to the stockholders *pari passu* in proportion to the amount

amount due to them respectively of all arrears of interest remaining unpaid on the stock held by them respectively and secondly in or towards payment to the Stockholders *pari passu* in proportion to the amount of the stock held by them respectively and without preference or priority on account of priority of issue or otherwise howsoever of all principal moneys unpaid in respect of the stock held by them respectively and that whether the same shall or shall not then be payable which said principal moneys and interest the said Stockholders shall then be bound to accept And lastly shall pay the residue of the said moneys if any to the Company or its assigns.

11. Provided always and it is hereby declared that if the moneys to arise from any sale or sales of the mortgaged premises or any parts thereof shall be insufficient after payment of the said costs charges and expenses incurred in or about such sale or sales or otherwise incurred or payable by or to the trustees hereof under or in respect of these presents to pay in full the principal moneys and interest owing on the security of these presents then the residue of the moneys to arise from any such sale or sales after payment of the costs charges and expenses aforesaid shall be apportioned ratably and without preference or priority among all the stockholders according to the amount of stock held by them and shall be paid to them accordingly which said moneys the stockholders shall then be bound to accept provided however that interest shall have priority over principal money.

12. It is hereby agreed and declared that on payment by the Company of all the principal moneys and interest secured hereby or upon cancellation and release of all the said stock the trustees hereof shall reconvey to the Company its successors or assigns the said mortgaged premises or so much thereof as shall not have been disposed of under any of the trusts hereof.

13. The trustees hereof shall give not less than fourteen days' notice by letter addressed to the stockholders at their registered addresses and posted which posting shall be counted as notice and also by advertisement in the *Times* and in at least one other daily London newspaper of the day fixed for any payment to the stockholders under either of the clauses 10 and 11 hereof and after the day so fixed and notified the holder of the stock shall be entitled to interest on the balance only (if any) of the principal moneys due on such stock after deducting the amount (if any) payable in respect thereof on the day so fixed.

14. The receipt of each stockholder or of one of several joint holders for the principal moneys and interest payable by the trustees hereof to him or them in respect of such stock shall be a good discharge to the trustees hereof.

15. At any time before the trustees hereof shall have entered into possession of the mortgaged premises or any part thereof in pursuance of the trust aforesaid the trustees hereof may upon the application and at the cost of the company acquire

acquire or concur in acquiring a new or renewed lease or tenancy or new or renewed leases or tenancies of all or any of the mortgaged premises not vested in them in fee simple to be held for such term or period or respective terms or periods and at such rents and subject to such covenants and conditions and with such indemnity as they shall think fit And for that purpose may surrender or concur in surrendering any existing lease or leases tenancy or tenancies And any such new or renewed lease may be granted either to the trustees hereof or to any nominee or nominees of the Company but so that in the latter case the lessees or lessee do execute a declaration of trust for the Company subject to the provisions of these presents and every such new or renewed lease or tenancy and the premises comprised therein shall become and be in all respects subject to the trusts and provisions herein contained as though the interest of the company therein had been hereby assured to the trustees hereof.

16. After the trustees hereof shall have made such entry as aforesaid and until the whole of the mortgaged premises shall be sold and conveyed under the said trust for sale the trustees hereof may if they shall think fit so to do but not otherwise operate all or any of the said railways and generally carry on the business of the Company in and with the mortgaged premises or any of them and may manage and conduct the said railways and business as they shall in their discretion think fit and for the purposes of operating the said Railways and managing the said business may employ such agents managers receivers accountants servants and workmen upon such terms as to remuneration and otherwise as they shall think proper and may renew such of the said rolling stock engines permanent way plant machinery and effects as they may consider it advisable to renew and generally may do or cause to be done all such acts and things and may enter into such arrangements respecting the mortgaged premises or the operation and management of the said railways and business or any part thereof as they could do if they were absolutely entitled thereto and without being responsible for any loss or damage which may arise or be occasioned thereby.

17. Provided always that the Trustees hereof shall by and out of the rents and profits and income of the mortgaged premises and the moneys received by them in operating the said railway or carrying on the said business pay and discharge the expenses incurred in and about such operation and management or in the exercise of any of the powers aforesaid or otherwise in respect of the premises and all outgoings which they shall think fit to pay and shall pay and apply the residue of the said rents profits and moneys in the same manner as is hereinbefore provided with respect to the moneys to arise from any sale.

18. The company shall at all times keep an accurate register of the stock in the form and with the particulars mentioned in the First Schedule hereto in respect of such



register and the Trustees hereof or any person appointed in writing by them shall be at liberty at all reasonable times to inspect the said register and to take copies of or extracts from the same or any part thereof and shall be entitled to be furnished with a copy or copies thereof.

19. The Company shall so long during the continuance of this security as it shall be in possession of the mortgaged premises operate the said railways and carry on and conduct the business of the Company in a proper and efficient manner and shall keep the hereditaments permanent way and all rolling stock plant machinery works fixtures fittings implements utensils and other effects therein or upon the same respectively and used for the purpose of or in connection with the said railways and businesses and every part thereof in a good state of repair and in perfect working order and condition and shall from time to time provide such substituted or additional rolling stock plant machinery and other effects as may be required for the proper and efficient operation of the said railways which substituted or additional rolling stock plant and effects it is hereby agreed and declared shall be subject in all respects to the trusts of these presents Provided always that these presents and the trusts hereby declared shall not in anywise affect or be applicable to any new railways which the Company may hereafter acquire or construct or to the buildings rolling stock plant and other property effects or things appertaining thereto.

20. The Company may at any time hereafter by deed under its common seal appoint an additional Trustee of these presents. So long as and whenever there shall be more than two Trustees hereof the majority of such Trustees shall be competent to execute and exercise all the trusts powers and discretions hereby vested in the Trustees hereof generally.

21. The Company doth hereby for itself and its successors covenant with the said persons party hereto of the third part their heirs executors administrators and assigns that the Company its successors or assigns will not execute any other Deed of Mortgage or any other Instrument creating any mortgage lien charge or incumbrance which by such deed or instrument shall purport to be a first mortgage lien charge or incumbrance upon the mortgaged premises or any parts thereof or which shall in any manner impair the priority or precedence of these presents and of the stock as constituting a first lien upon the same and also that the said sum of £500000 sterling to be secured hereby shall subject to any rights for the time being subsisting under the said Indentures of the 3rd day of September 1894 and the 28th day of March 1895 or either of them or any charges liens and incumbrances as aforesaid now affecting the same premises or any part or parts thereof be the first charge on the said railways and other the mortgaged premises and shall subject as aforesaid take priority and precedence as a first charge on the said property and mortgaged premises and every part thereof respectively over all securities now or

at any time existing or created by the company of any kind whatsoever and that as between the several holders of the stock hereby secured the stock shall rank concurrently without any preference or priority whatsoever but so nevertheless that the rents and revenues thereof shall be subject firstly to the payment of any penalty imposed for non-compliance with the requirements of "The Railway Act" respecting returns to be made to the Minister of Railways and Canals of the Dominion of Canada and secondly to the payment of the working expenditure of the railway as defined in the said Railway Act.

22. The said Charles Emanuel Leonino and Charles Fitch Kemp for themselves and other the Trustees for the time being of the said Indenture of the 3rd day of September 1894 hereby agree with the Company and the Trustees hereof that when and so soon as all the £4 per cent terminable debenture stock issued by the Windsor Company and secured by the said Indenture and the Indenture supplemental thereto dated the 28th day of March 1895 shall have been exchanged for £4 per cent first debenture stock of the company issued as aforesaid or shall be otherwise redeemed they or the Trustees for the time being of the said Indentures will upon the request and at the cost of the company execute or join in executing a deed or deeds releasing from the charge created by such before mentioned indentures or either of them such of the mortgaged premises as may be comprised therein and conveying such premises to the trustees hereof free and discharged from all and every the trusts charges and incumbrances created by such before-mentioned indentures or either of them such deed or deeds to be in a form approved by counsel on behalf of the said Charles Emanuel Leonino and Charles Fitch Kemp.

23. And it is hereby agreed and declared that the trustees hereof may exercise the powers herein conferred upon them either in the manner herein provided or by such action or actions in aid of the execution of such powers or otherwise as they being advised by counsel learned in the law shall deem most effectual for that purpose it being understood and hereby expressly declared that the rights of entry and sale herein granted are intended as cumulative remedies additional to all other remedies allowed by law and that the same shall not be deemed in any manner whatsoever to deprive the trustees hereof or the beneficiaries under this trust of any legal or equitable remedies by judicial proceedings consistent with the provisions of these presents according to the true intent and meaning thereof but no proceeding authorised by law or by this deed shall be taken to enforce payment of the principal and interest secured hereby except through the said trustees hereof.

24. And it is hereby agreed and declared that the said trustees hereof or any of them may resign the trusts hereby created and be discharged from all further duty thereunder upon giving three months' notice in writing to the said parties

of the first part or upon such shorter notice as the said parties of the first part may accept as sufficient. And in case at any time hereafter any trustee hereof shall die or resign or refuse or become incapable or unfit to act in the said trust a successor of such trustee hereof may be appointed by the surviving or remaining trustees or trustee or by the executor or administrator of the last surviving trustee by an instrument duly executed in that behalf under their or his hands and seals respectively but until default in payment of the principal or interest secured hereby such instrument shall be subject to the approval of the board of directors of the Company and shall have no force or effect until the board of directors signify their approval of such appointment by executing a consent to such appointment under the seal of the Company.

25. Upon every such appointment of a new trustee hereof as aforesaid the trust property shall if and so far as the nature of the property and other circumstances shall require or admit be transferred so that the same may without further or other conveyance or assignment be vested in the trustee or trustees hereof for the time being and the provisions of the Act of the Parliament of Great Britain and Ireland 56 and 57 Vic. c. 53 sections 10 to 12 inclusive shall so far as they are applicable and except when they are inconsistent with the provisions hereof apply to this deed. And every trustee hereof so appointed as aforesaid may as well before as after such transfer of the said trust property act or assist in the execution of and exercise all the trusts and powers of these presents as fully and effectually as if he had been hereby constituted a trustee hereof.

26. And it is hereby further agreed and declared that the trustees hereof for the time being of these presents shall be respectively answerable and accountable only for their own acts receipts neglects or defaults and that in addition to the ordinary right to indemnity by law given to trustees the Company shall at all times hereafter keep harmless and indemnified the trustees hereof and each of them their or his executors administrators and estates from and against all actions proceedings costs charges claims and demands whatever which may arise or be brought against them or him in respect of the execution of the trusts hereof or of any matter or thing done or omitted in relation thereto without their or his wilful default. And shall also reimburse the trustees hereof all costs charges and expenses properly incurred by them in the execution of the trusts hereof. Provided also that if and when the security hereby constituted shall become enforceable the Company shall pay or allow to the trustees hereof such reasonable remuneration in addition to such costs charges and expenses as aforesaid as the stockholders in meeting by any resolution or a judge on the application of the trustees hereof may determine and the same may be retained or paid by the trustees hereof to themselves.

27. It is hereby further agreed and declared that the Trustees hereof shall not be bound to take any proceeding under this mortgage for providing obtaining recovering or enforcing payment of the Stock or the interest thereon or for enforcing the performance of any of the covenants herein contained unless or until they are duly indemnified to their satisfaction against all expenses disbursements and costs which they may make or for which they may render themselves liable and for compensation and remuneration in respect of their own services and against any damage liability actions losses and costs which may arise or occur by reason of their taking such proceeding or proceedings.

28. It is hereby further declared and agreed that in any case in which the Trustees hereof shall be called upon to act or to take any proceedings under these presents upon receiving requisition from the Stockholders as aforesaid or any of them if such proceedings are taken by the Trustees hereof in consequence of such requisition the said Trustees hereof shall not be bound to inquire whether default has been made in payment of the principal or interest upon the stock or any part thereof or in the performance of any of the covenants of these presents and shall not be liable for any loss or damage that may occur in consequence of the exercise of the powers conferred upon them.

29. The Trustees hereof may at any time after default shall have been made in payment of any principal moneys or interest or other moneys payable hereunder by the Company or upon any breach of the covenants on behalf of the Company herein contained upon giving notice to the Company of their intention so to do apply to a court of competent jurisdiction for an order that the trusts hereof may be administered under the direction of such court or otherwise and for the appointment of a receiver or manager or for such other relief in relation to the trusts as the Trustees hereof may deem expedient.

In witness whereof the company hath caused its Common Seal to be hereunto affixed and the persons parties hereto of the second and third parts have hereunto set their respective hands and seals the day and year first above written.

THE FIRST SCHEDULE ABOVE REFERRED TO.

CONDITIONS as to the issue by the DOMINION ATLANTIC RAILWAY COMPANY of £500,000 £4 per cent First Debenture Stock hereinafter called "the Stock."

1. At any time after the first day of October, 1924 the Dominion Atlantic Railway Company hereinafter called "the Company" may give to the holders of the Stock or any of them not less than six calendar months' notice of its intention to redeem the Stock held by them respectively at such price per cent not less than £110 for every £100 as shall be mentioned in such notice and at the expiration of the notice such Stock shall be redeemed accordingly. Any of the Stock of which

such notice to redeem shall not have been given will be redeemed at par on the first day of October one thousand nine hundred and forty-four or at such earlier time as the Stock ought to be redeemed in accordance with these presents and as and when any stock ought to be redeemed as aforesaid the Company will subject to these conditions pay to the several holders of the Stock so entitled to be redeemed the redemption moneys therefor calculated in the case of redemption after such notice as first aforesaid at the price mentioned in the notice. For the purpose of this clause any notice may be given to any holders of stock by sending the same through the post in a prepaid letter addressed to such holder at his registered place of address and any notice so given shall be deemed to have reached the holder on the day following that on which it is posted.

2. The Stock shall carry interest at the rate of £4 per cent per annum and the Company will pay to the Stockholders interest on their respective parts thereof at the rate of £4 per cent per annum. Such interest shall be paid half yearly on the 1st day of April and the 1st day of October in every year.

3. Every Stockholder will be entitled to a Certificate under the Seal of the Company stating the amount of Stock held by him joint holders of Stock being for this purpose treated as one person and every such Certificate shall be in the form or to the effect following and be delivered to the Stockholder or in the case of joint holders to the person whose name stands first in the Register in respect of the Stock so holden but no certificate shall be for a less sum than twenty pounds or one hundred dollars.

THE DOMINION ATLANTIC RAILWAY COMPANY.

CAPITAL—

Five per cent preference stock.....	£270,000
Ordinary stock.....	230,000
	£500,000
Total capital stock.....	£500,000

£500000 £4 per cent first debenture stock created under the provisions of the Railway Act of Canada 51 Vic. c. 29 and the Act of the Parliament of Canada to incorporate the Company 58-59 Vic. c. 47 and by resolutions of a special meeting of the shareholders held on 17th March 1896 and by resolutions of the board of directors passed on the said 17th March 1896 Interest payable 1st April and 1st October.

No. \_\_\_\_\_ £

THIS IS TO CERTIFY that \_\_\_\_\_ of \_\_\_\_\_ is (or are) the proprietor(s) of \_\_\_\_\_ pounds of the above stock the repayment and redemption of which stock and payment of interest thereon are secured by a trust \_\_\_\_\_



11. A fee not exceeding 2s. 6d. will be charged for registration of each transfer and must if required by the directors be paid before the registration of the transfer.

12. No transfer will be registered during the 14 days immediately preceding the 1st day of April and 1st day of October in each year.

13. The executors and administrators of a deceased holder of any part of the stock not being one of several joint holders shall be the only persons recognized by the company as having any title to such part of the stock.

14. Any person becoming entitled to any part of the stock in consequence of the death or bankruptcy of any holder of stock upon producing such evidence that he sustains the character in respect of which he proposes to act under this condition or of his title as the directors shall think sufficient may at his option either be registered himself as a holder of such part of the stock or may transfer the same.

15. The directors shall be at liberty to retain the interest payable upon any part of the stock which any person under the last preceding condition is entitled to until such person shall either become the registered owner thereof or shall duly transfer the same.

16. The interest upon any part of the stock may be paid by cheque sent through the post to the registered address of the holder or in case of joint holders to the registered address of that one of the joint holders who is first named on the register in respect of such part of the stock. Every such cheque shall be sent at the stockholders' risk and shall be made payable to the order of the person to whom it is sent and payment of the cheque shall be a satisfaction of the interest.

17. If any certificate issued pursuant to these conditions be worn out or defaced then upon production thereof to the directors they may cancel the same and may issue a new certificate in lieu thereof, and if any such certificate be lost or destroyed then upon proof thereof to the satisfaction of the directors and on such indemnity as the directors deem adequate being given a new certificate in lieu thereof may be given to the person entitled to such lost or destroyed certificate. An entry as to the issue of the new certificate and indemnity if any will be made in the register hereinafter mentioned. There shall be paid to the Company in respect of every new certificate issued under this clause a fee of 2s. 6d., and also any stamp duty payable thereon together with such costs as the directors of the Company may have incurred in inquiries respecting such loss or destruction and of the preparation and execution of any such indemnity.

18. A register of the stock will be kept by the Company in one or more books, and there shall be entered in such register—

(1) The names and addresses and description of the holders for the time being of the stock.

(2) The amount of the stock held by every such person.

- (3) The date at which the name of every such person was entered in respect of the stock standing in his name and every part thereof.

19. Any registered holder of a part of the stock will upon payment of such fee as the directors shall from time to time fix not exceeding 1s. for each inspection be entitled at all reasonable times to inspect the said register.

20. No notice of any trust express implied or constructive shall be entered upon the register in respect of any part of the stock.

THE SECOND SCHEDULE ABOVE REFERRED TO.

REGULATIONS FOR MEETINGS OF STOCKHOLDERS.

1. The trustees of the above written indenture may at any time convene a meeting of the stockholders and such trustees shall convene such meeting on the request in writing of the holders of one-tenth part in amount of the stock when a meeting is convened otherwise than by such trustees notice thereof shall be given to each of the trustees of the said indenture or if there be one such trustee only then to such trustee.

2. Fourteen days' notice at least specifying the place day and hour of meeting shall be given previously to any meeting of the stockholders such notice shall be given by circular letter sent through the post to the registered address of each of the stockholders any such notice shall specify the general nature of the business to be transacted at the meeting and shall be deemed to be served at the expiration of seven days after it is posted. A notice of every meeting shall also be given at least 14 days before the time fixed for the meeting by advertisement in the "Times" newspaper published in London England and in some daily newspaper published in Halifax in the Dominion of Canada. It shall not be necessary in such advertisement to specify the nature of the business to be transacted at the meeting thereby convened.

3. At any such meeting persons holding or representing by proxy one-fifth of the nominal amount of the stock shall form a quorum for the transaction of business and no business shall be transacted at any meeting unless the requisite quorum be present at the commencement of the business and when the matter upon which the vote is to be taken is put to the meeting.

4. At every such meeting a trustee of the above-written Indenture or (if no such trustee be present) then such person as the Debenture holders present in person shall elect shall take the chair. Any such trustee and any directors or director of the Company may attend and speak at any such meeting but they shall not be entitled to vote unless in the capacity of the actual holder or holders of stock.

5. If within half an hour from the time appointed for any meeting of stockholders a quorum be not present the meeting





No person shall be appointed a proxy unless he is a stockholder entitled to vote.

12. At every such meeting each stockholder shall be entitled to one vote in respect of every full sum of £100 stock held by him. A holder of a less amount of stock than £100 shall not be entitled to vote in respect of his stock.

13. When the trustees of the above written indenture shall have entered into possession of any of the mortgaged premises under the powers contained in the trust deed under which they act as trustees for the stockholders or under any other powers then without prejudice to any other power conferred by such trust deed they or he with the authority of an extraordinary resolution of the stockholders may at any time afterwards give up possession of the mortgaged premises to the Company either unconditionally or upon any conditions that may be arranged between the Company and the said trustees with the sanction of an extraordinary resolution of the stockholders without prejudice to any powers in any manner vested in or conferred upon the said trustees.

14. A general meeting of the stockholders shall in addition to the powers hereinbefore mentioned have the following powers exercisable by extraordinary resolution viz. :

(a) Power at any time to sanction the release of any of the mortgaged premises on such terms as shall be approved by the meeting sanctioning the release.

(b) Power to sanction any modification or compromise of the rights of the stockholders whether such rights shall arise under this schedule or otherwise.

(c) Power to sanction an agreement or agreements for postponing or accelerating the time for payment of the principal moneys and interest payable in respect of the said 4 per cent first debenture stock or any part thereof or for reducing the rate of interest or for permitting the creation of any charge having priority over or ranking *pari passu* with the stock or for accepting in satisfaction of the said first debenture stock any debenture or debenture stock or preference guaranteed or ordinary stock of any railway or other company.

(d) Power to assent to any modifications of the provisions contained in the above written trust deed or in the conditions upon which the stock is issued or in these regulations.

15. An extraordinary resolution passed at a general meeting of the stockholders duly convened and held in accordance with the regulations contained in this schedule shall be binding upon all stockholders whether present or not present at such meeting. And every stockholder shall be bound to give effect thereto accordingly.

16. The expression "extraordinary resolution" as used in this schedule means a resolution which at a meeting of stockholders duly convened and held in accordance with the provisions herein contained is passed by a majority consisting of

not less than three-fourths of the persons voting thereat upon a show of hands or if a poll is demanded then by a majority of not less than three-fourths of the votes given at such poll.

17. Minutes of all resolutions and proceedings at every such meeting of stockholders as aforesaid shall be made and entered in books to be from time to time provided for that purpose by the trustees or trustee of the above written indenture at the expense of the Company and any such minutes as aforesaid if purporting to be signed by the chairman of the meeting at which such resolutions were passed or proceedings had or by the chairman of the next meeting of stockholders shall be conclusive evidence of the matters therein stated and until the contrary is shown every such meeting in respect of the proceedings of which minutes have been made shall be deemed to have been duly held and convened and all resolutions passed thereat or proceedings had to have been duly passed and had.

The Common Seal of the  
Dominion Atlantic Railway  
Company was hereunto affix-  
ed in the presence of

The Seal  
of the  
Dominion  
Railway  
Company.

FRANCIS TOTHILL,  
President.

W. R. CAMPBELL,  
General Manager and Secretary.

Witness T. O. CHAPMAN.

Signed sealed and delivered by  
the within-named Charles  
Emanuel Leonino in the pre-  
sence of

CHAS. E. LEONINO [L.S.]

[L.S.] WM. M. TWEEDIE,  
British Pro-Consul,  
Milano.

April 2, 1896.

Stamp.

2/6

Signed sealed and delivered by  
the within-named Charles  
Fitch Kemp in the presence  
of

C. FITCH KEMP. [L.S.]

FRANK WALFORD.

Signed sealed and delivered by  
the within-named William  
Sopper in the presence of

W. SOPPER. [L.S.]

FRANK WALFORD.

## SCHEDULE C.

THIS INDENTURE made the seventeenth day of April 1896 between The Dominion Atlantic Railway Company having its head office at No. 6 Great Winchester Street in the City of London England (hereinafter called "the Company") of the one part and Thomas Robert Ronald of Somerton Lodge Queen's Road Richmond in the County of Surrey Esquire and Charles Fitch Kemp of 73 Lombard Street in the City of London Esquire (hereinafter referred to as "the present Trustees") of the other part Whereas the company was incorporated by the Act of the Parliament of Canada 58 and 59 Vict. c. 47 (1895) under the name of "The Dominion Atlantic Railway Company" having for its objects amongst other things the acquisition and working of the Windsor and Annapolis Railway the Yarmouth and Annapolis Railway and the Cornwallis Valley Railway which were then together known and operated as the Dominion Atlantic Railway and in exercise of the powers conferred by the said Act the company has purchased the railways and all other the property movable and immovable hereinafter expressed to be hereby granted conveyed and assigned And whereas such purchase was completed on the 31st day of December 1895 and was made subject to the then existing debt of the Windsor and Annapolis Railway Company Limited (hereinafter referred to as the Windsor Company) created by the issue of £4 per cent terminable debenture stock for the sum of £500000 secured by a mortgage to trustees dated the 3rd day of September 1894 made between the Windsor Company of the one part and Charles Emanuel Leonino and Charles Fitch Kemp of the other part and registered in the office of the Secretary of State for Canada on the 31st day of October 1894 and an indenture supplemental thereto dated the 28th day of March 1895 made between the same parties and registered in the same office on the 8th day of June 1895 and to all other mortgages charges liens and incumbrances affecting the same premises or any part or parts thereof and among the conditions of the issue of such last-mentioned terminable debenture stock it was provided that if the Windsor Company should be reconstituted or be amalgamated with or transferred to any other railway company in the Dominion of Canada the Windsor Company might give notice to the holders of the said terminable debenture stock requiring them to surrender their stock and the certificate for the same in exchange for a like amount of £4 per cent terminable debenture stock in the company as reconstituted or in such other railway company as the Windsor company should be amalgamated with or transferred to and for such purpose might require surrender of the stock certificates and every such requisition should be binding upon the stockholders provided that in case of any terminable debenture stock and the certificate therefor to be given in exchange

the same should bear the same rate of interest and be subject to the like incidents of repayment and redemption as the £4 per cent terminable debenture stock of the Windsor Company and be secured by a trust deed approved by the trustees of the first above mentioned trust deed. And whereas the Windsor Company has been reconstituted by the formation of the company under the said Acts and has become amalgamated with or transferred to the company and notice has been given to the stockholders of the Windsor Company requiring them to surrender their stock and the certificates for the same in exchange for a like amount of terminable debenture stock being the £4 per cent first debenture stock of the company to be issued subject to such incidents and secured by such trust deed as hereinbefore mentioned.

And whereas by the said Act of the Parliament of Canada 58 and 59 Vict. c. 47 (1895) sec. 9 the Company was empowered to borrow money in the manner prescribed by sec. 93 of the Railway Act of Canada 51 Vict. c. 29 (1888) and to secure the repayment of any money so borrowed as in the said Act provided and to issue bonds debentures or debenture stock and to mortgage the property of the Company as security provided the amount so borrowed should not exceed in all £5000 per mile of the railway and branches constructed or under contract to be constructed including the debenture stock representing the existing debt therein referred to. And whereas the number of miles of railway and branches belonging to the Company already constructed is 188 and the borrowing powers thus now extend to a sum of £940000 including the £500000 £4 per cent terminable debenture stock to be exchanged as aforesaid. And whereas at a special meeting of the Company duly convened and held on the 17th day of March 1896 the Company authorized the directors to create and issue £4 per cent first debenture stock of the nominal amount of £500000 to be redeemable as set forth in the resolution authorizing such issue and to be secured by a trust deed and to be disposed of by exchanging the certificates of the same or so much thereof as might be required for certificates for a like amount of the said £500000 £4 per cent terminable debenture stock issued by the Windsor Company and as to the amount (if any) of the first debenture stock of the Company not required for the purpose of such exchange to dispose thereof on such terms and conditions as the directors might think fit. And at the same meeting it was also duly resolved in words as follows—“That the directors of the company be and they are hereby authorized to create and issue a £4 per cent debenture stock of the nominal amount of £100000 (portion of a total nominal amount of £440000 debenture stock) to be called second debenture stock on (amongst others) the following special terms and conditions—(a) That the said second debenture stock shall be repayable at par on the 1st July 1958 or be in whole or in part redeemable previously at

the Company's option at any time on or after the 1st July 1916 at £105 for every £100 of stock on six calendar months' previous notice being given by the Company to the registered holders thereof or of any part thereof of an intention to redeem the said stock (b) That the said stock be constituted a charge on the property of the Company comprised in the trust deed for securing the Company's £4 per cent first debenture stock for £500000 and subject thereto and be secured by a trust deed between the Company and trustees for the second debenture stockholders in a form to be approved by the directors of the Company (c) That such last-mentioned trust deed shall provide for the issue at any time and from time to time hereafter of an additional sum or additional sums of not exceeding £340000 of like debenture stock to be in all respects entitled to rank equally with the said £100000 second debenture stock and to the benefit *pari passu* therewith of the said charge and of the said last-mentioned trust deed for securing the same and so that after the said additional stock is created the said charge and the provisions of the said trust deed respectively shall be deemed to cover and extend to the whole amount of such debenture stock for the time being created but so that the total amount of such debenture stock to be created (including the £100000 hereby authorized) shall not exceed £440000 in all and no such additional debenture stock shall be created without the sanction of a special general meeting of the shareholders of the company convened under and in accordance with The Railway Act That the said £100000 second debenture stock hereby authorised be created and issued by the directors of the Company as and when they shall think fit and be disposed of by them to such persons at such price or prices time and manner and on such terms and conditions as the board may hereafter determine" And whereas by an indenture dated the 17th day of March 1896 made between the Company of the first part Charles Emanuel Leonino and Charles Fitch Kemp of the second part and the said Charles Emanuel Leonino Charles Fitch Kemp and William Sopper of the third part being the trust deed for securing the said £500000 £4 per cent first debenture stock of the company the railways and all other the property movable and immovable hereinafter expressed to be hereby granted conveyed and assigned were granted conveyed and assigned to the persons party thereto of the third part as trustees for the purposes and subject to and with the benefit of the covenants conditions and provisions therein set forth And whereas the directors of the company in exercise of the authorities conferred upon them as aforesaid have resolved upon and are proceeding with the issue of the £500000 £4 per cent first debenture stock for exchange as hereinbefore mentioned And in further exercise of the authority conferred upon them by the said acts and the hereinbefore recited resolutions have determined to create and issue a £4 per cent debenture stock of the nominal amount of £100000

portion of a total nominal amount of £440000 debenture stock to be called second debenture stock on the terms and conditions in the said resolutions and hereinafter set forth And whereas the directors of the company have caused this trust deed to be prepared and have approved the same as a security for the second debenture stockholders in manner and to the extent provided by the hereinbefore recited resolutions Now this indenture witnesseth and it is hereby agreed and declared as follows—

1. (a) In these presents and in the schedules hereto unless there is something in the subject or context inconsistent therewith the words "The Trustees hereof" shall refer to and describe and the same shall in all cases be construed to mean the person or persons or the company who for the time being shall be charged with the execution of the trusts of these presents whether such person persons or company shall be the present trustees or the survivors or survivor of them or the successors or a successor of the present trustees or any or either of them respectively.

(b) "The Stock" means the aggregate amount of the said £440000 £4 per cent second debenture stock for the time being issued and not redeemed including as well the £100000 already authorized to be created and issued as aforesaid as also any additional sum or sums not exceeding £340000 of like debenture stock hereafter created "The stockholders" means the several persons or companies for the time being entered in the register hereinafter mentioned as holders of any part of the stock.

(c) The stockholders are to be regarded as beneficial owners of their respective parts of the stock and the Company as and when the stock or any part thereof ought to be redeemed or paid off in accordance with the provisions in the body of these presents or the conditions in the first schedule hereto contained will pay to the stockholders whose stock ought to be redeemed the full amount payable on redemption of the stock held by them respectively at the rate and in the manner hereinafter provided and such payment shall operate in satisfaction of the amount of the stock so redeemed or paid off and the amount for the time being unredeemed shall bear interest at the rate of £4 per cent per annum payable as in these presents and in the said first schedule mentioned.

(d) The stock and every part thereof shall be held subject to the conditions and regulations set forth in the first and second schedules hereto and such conditions and regulations shall be binding on the Company and the stockholders and every of them and all persons claiming through them respectively.

2. The Company and the trustees hereof hereby mutually agree that the first issue of the said £4 per cent second debenture

ture stock shall be of the nominal amount of £100000 as authorized by the hereinbefore recited resolutions of the 17th day of March 1896 and that it shall be lawful for the Company at any time and from time to time hereafter to issue an additional sum or additional sums of not exceeding £340000 like debenture stock to be entitled to rank equally with the said £100000 second debenture stock and to the benefit *pari passu* therewith of the charge hereby created and of these presents and so that after all or any part of the said additional sums of stock are created the charge and provisions herein contained shall be deemed to cover and extend to the whole amount of such debenture stock for the time being created but so that the total amount of such debenture stock including the first issue of £100000 shall not exceed £440000 in all and no such additional debenture stock shall be created without the sanction of a special general meeting of the shareholders of the Company convened under and in accordance with The Railway Act.

3. The Company hereby covenants with the trustees hereof that the Company will duly and punctually pay the interest and principal of the stock as and when the same becomes due and payable according to the provisions of these presents and the schedules hereto and will observe and perform all the stipulations and provisions of these presents which on the part of the Company ought to be observed and performed.

4. In consideration of the premises the Company doth hereby grant convey and assign unto the present trustees their heirs executors administrators and assigns as trustees hereof all and singular its undertaking now operated and known as the Dominion Atlantic Railway in the Dominion of Canada including the railways formerly known as the Windsor and Annapolis Railway the Yarmouth and Annapolis Railway and the Cornwallis Valley Railway together with all the lands and hereditaments belonging to the Company as incorporated by the Act of the Parliament of the Dominion of Canada 58-59 Vic. c. 47 and the franchises powers rights privileges rolling stock plant tolls and revenue and all other the property real and personal movable and immovable now owned by the Company wheresoever the same be situate (save and except any steamer or other vessel now or at any time hereafter owned by the Company or in which it may have or acquire an interest) and all the estate right title interest claim and demand of the Company in to and upon the premises and every part thereof with their and every of their appurtenances And also all the right title and interest of the Company of in and to the Windsor Branch under and by virtue of an agreement between Her Majesty and the Windsor Company dated the 13th day of December 1892 And also all the right title and interest of the Company in the running powers over the Intercolonial Railway between the said Windsor Junction and Halifax as in the said agreement mentioned and all other the rights ease-  
ments



ments liberties and privileges conferred upon the Company by the said agreement subject to the payment to Her Majesty of one-third of the gross earnings as provided by the said agreement and to the covenants provisoes and conditions in the said agreement mentioned and expressed And subject as to all the said premises to the said indenture dated the 3rd day of September 1894 and the said indenture supplemental thereto dated the 28th day of March 1895 until all the £4 per cent terminable debenture stock of the Windsor Company thereby secured shall be exchanged or redeemed and also to the other charges liens and incumbrances affecting the same premises or any part or parts thereof referred to in the said indenture dated the 3rd day of September 1894 so far as at the date of these presents such charges liens and incumbrances are subsisting. And subject also to the said indenture dated the 17th day of March 1896 for securing the said £500000 £4 per cent first debenture stock of the company To have and to hold the said undertaking railway franchises powers rights privileges rolling stock plant tolls and revenues and all other property and premises real and personal movable and immovable (except as aforesaid) hereby granted conveyed and assigned or expressed so to be unto and to the use of the present trustees their heirs executors administrators and assigns for ever according to the tenure and nature thereof as joint tenants and not as tenants in common but upon and for the trusts and purposes hereinafter expressed of and concerning the same.

5. The said premises hereinbefore expressed to be hereby granted conveyed and assigned subject as aforesaid are together hereinafter called "the mortgaged premises" and shall as and from the date hereof be held by the trustees hereof upon the trusts following i.e. Upon trust to permit the company to retain possession of the said undertakings railways and property and all other the mortgaged premises and to manage the same and or operate the said railways and every part thereof and to receive and take all the tolls revenue and income thereof and to carry on the business of the Company and to sell or otherwise dispose of any portions of the surplus lands of the Company and such parts of the machinery plant chattels and property of the Company at any time used in carrying on the business of the Company as it shall consider to be unfit or unnecessary for the said business so long as the Company shall punctually pay all the principal moneys and interest which ought to be paid in accordance with these presents and shall keep fulfil and observe all the covenants conditions and stipulations herein contained and to be kept fulfilled and observed by the Company and upon further trust upon default in payment of the principal moneys or of the interest moneys secured hereby or of any portion of the said principal or interest for the space of three calendar months after such principal moneys or interest shall respectively become payable according to the tenor of these presents or upon default for the space aforesaid in the keeping

fulfilling and observing by the Company of any of the terms and conditions herein stipulated to be kept fulfilled and observed by the Company then so that if the trustees hereof shall see fit they may forthwith with or without any notice to the Company but subject to the rights (if any) then subsisting of the trustees of the said indenture dated the 3rd day of September 1894 and the indenture supplemental thereto dated the 28th day of March 1895 and any other then subsisting charges liens and incumbrances aforesaid and to the rights of any of the trustees of the said indenture dated the 17th day of March 1896 take possession of the said railways undertakings property and mortgaged premises and every or any part thereof and thereupon as the trustees hereof manage operate and control the same and after providing for all expenses incident to the working of the said railways and keeping the mortgaged premises in a condition suitable for the business they shall subject as aforesaid apply the net proceeds of any sale of the mortgaged premises for the purposes of the trusts herein contained and upon the further trust that upon default in payment of the principal moneys or of the interest moneys secured hereby or any part thereof for the space of three months after such principal moneys or interest moneys shall respectively become payable according to the tenor of these presents and upon a requisition in writing signed by stockholders representing or being a majority in value of the holders of the stock the trustees hereof shall subject as aforesaid sell the said undertakings railways franchises property and other the mortgaged premises or some parts thereof and for the purposes aforesaid or any of them make execute and do all such agreements assurances and things as the trustees hereof shall see fit. Provided that after such default and requisition as aforesaid the trustees hereof shall give at least two calendar months' notice to the Company of their intention to exercise the aforesaid power of sale by serving a copy of such notice on the President or Secretary of the Company for the time being and by publishing an advertisement for the period of four weeks at least which period may be wholly or in part concurrent with that of the notice last aforesaid showing the time place and particulars of the said intended sale such advertisements to be published in two issues at least in each week of one daily newspaper published in London England and in Halifax Nova Scotia and also in the Canada Gazette or some other official paper circulating in the Dominion of Canada.

6. Provided further that the trustees hereof shall have full power to sell the mortgaged premises either by public auction or private contract and upon every such sale to make any special or other stipulations as to title or evidence or commencement of title or otherwise which the trustees hereof shall deem proper and to buy in or rescind or vary any contract for sale of the mortgaged premises or any part thereof and to resell the same without being responsible for any loss which

may be occasioned thereby and with full power to compromise and effect composition and for the purposes aforesaid or any of them to execute and do all such assurances and things as they shall think fit but so that the railways and undertaking of the Company shall not be sold except in one parcel or in sections capable of being separately worked to the intent that the railways or several sections thereof offered for sale may so far as practicable be continued and operated as a going concern or concerns or be capable of being so operated provided always that any lands or chattels not required for the use and operation of the railways or any parts thereof may be sold in separate parcels at the discretion of the trustees hereof.

7. Provided nevertheless that if before any such sale shall have actually taken place the Company shall have paid to all the holders of the said £4 per cent second debenture stock then unredeemed the principal moneys if any then payable and the interest moneys in default as aforesaid and shall have given notice thereof to the trustees hereof and shall further pay to the trustees hereof all such further sums as shall then be chargeable by them against the trust by reason of the entering upon operating or managing the said railways or otherwise and all the costs charges and expenses by the trustees hereof incurred in or about the proceedings connected with such sale then the trustees hereof shall not proceed with any such sale but shall immediately discontinue all proceedings to carry out the same.

8. Provided always that the trustees hereof may from time to time and so often as may be necessary on default as aforesaid and upon receiving a requisition signed as aforesaid proceed to exercise the aforesaid power of sale.

9. Upon any sale made in pursuance of the aforesaid power or trust in that behalf the purchaser or purchasers shall not be bound to see or inquire whether any such requisition in writing has been given by or on behalf of the stockholders as aforesaid nor whether any default has been made by the Company in payment of any principal moneys or interest secured by these presents nor as to the necessity or expediency of the stipulations and conditions subject to which any such sale shall have been made nor otherwise as to the propriety or regularity of any such sale and notwithstanding any impropriety or irregularity whatsoever in any such sale the same shall so far as regards the safety and protection of the purchaser or purchasers be deemed to be valid and effectual accordingly and the remedy of the Company and its assigns in respect of any impropriety or irregularity whatsoever in the execution of the said trusts for sale shall be in damages only.

10. Upon any such sale as aforesaid the receipt of the trustees hereof for the purchase-money of the premises sold and for any other moneys paid to them shall effectually discharge the purchaser or purchasers or other person or persons paying the same therefrom and from being concerned

to see to the application or being answerable for the loss or misapplication thereof.

11. The trustees hereof shall hold the moneys which shall arise from any sale made in pursuance of the aforesaid trusts in that behalf upon trust that they in the first place shall subject to the rights of any persons entitled to any interest in the mortgaged premises under the said indenture of the 3rd day of September 1894 or the said indenture of the 28th day of March 1895 or the said indenture of the 17th day of March 1896 or otherwise as aforesaid by and out of the same moneys reimburse themselves or pay and discharge the costs charges and expenses incurred in or about such sale or in the execution of the foregoing trusts or otherwise payable to them under or in respect of these presents and in the next place shall apply the residue of such moneys first in or towards payment to the stockholders *pari passu* in proportion to the amount due to them respectively of all arrears of interest remaining unpaid on the stock held by them respectively And secondly in or towards payment to the stockholders *pari passu* in proportion to the amount of the stock held by them respectively and without preference or priority on account of priority of issue or otherwise howsoever of all principal moneys unpaid in respect of the stock held by them respectively and that whether the same shall or shall not then be payable which said principal moneys and interest the said stockholders shall then be bound to accept And lastly shall pay the residue of the said moneys if any to the company or its assigns.

12. Provided always and it is hereby declared that if the moneys to arise from any sale or sales of the mortgaged premises or any parts thereof shall be insufficient after payment of the said costs charges and expenses incurred in or about such sale or sales or otherwise incurred or payable by or to the trustees hereof under or in respect of these presents to pay in full the principal moneys and interest owing on the security of these presents then the residue of the moneys to arise from any such sale or sales after payment of the costs charges and expenses aforesaid shall be apportioned ratably and without preference or priority among all the stockholders according to the amount of stock held by them and shall be paid to them accordingly which said moneys the stockholders shall then be bound to accept provided however that interest shall have priority over principal money.

13. It is hereby agreed and declared that on payment by the Company of all the principal moneys and interest secured hereby or upon cancellation and release of all the said stock the trustees hereof shall reconvey to the Company its successors or assigns the said mortgaged premises or so much thereof as shall not have been disposed of under any of the trusts hereof.

14. The trustees hereof shall give not less than 14 days' notice by letter addressed to the stockholders at their registered addresses and posted which posting shall be counted as

notice and also by advertisement in the "Times" and in at least one other daily London newspaper of the day fixed for any payment to the stockholders under either of the clauses 11 and 12 hereof and after the day so fixed and notified the holder of the stock shall be entitled to interest on the balance only (if any) of the principal moneys due on such stock after deducting the amount (if any) payable in respect thereof on the day so fixed.

15. The receipt of each stockholder or of one of several joint holders for the principal moneys and interest payable by the trustees hereof to him or them in respect of such stock shall be a good discharge to the trustees hereof.

16. At any time before the trustees hereof shall have entered into possession of the mortgaged premises or any part thereof in pursuance of the trust aforesaid the trustees hereof may upon the application and at the cost of the Company acquire or concur in acquiring a new or renewed lease or tenancy or new or renewed leases or tenancies of all or any of the mortgaged premises not vested in them in fee simple to be held for such term or period or respective terms or periods and at such rents and subject to such covenants and conditions and with such indemnity as they shall think fit And for that purpose may surrender or concur in surrendering any existing lease or leases tenancy or tenancies And any such new or renewed lease may be granted either to the trustees hereof or to any nominee or nominees of the Company but so that in the latter case the lessees or lessee do execute a declaration of trust for the Company subject to the provisions of these presents and every such new or renewed lease or tenancy and the premises comprised therein shall become and be in all respects subject to the trusts and provisions herein contained as though the interest of the Company therein had been hereby assured to the trustees hereof.

17. After the trustees hereof shall have made such entry as aforesaid and until the whole of the mortgaged premises shall be sold and conveyed under the said trust for sale the trustees hereof may if they shall think fit so to do but not otherwise operate all or any of the said railways and generally carry on the business of the Company in and with the mortgaged premises or any of them and may manage and conduct the said railways and business as they shall in their discretion think fit and for the purposes of operating the said railways and managing the said business may employ such agents managers receivers accountants servants and workmen upon such terms as to remuneration and otherwise as they shall think proper and may renew such of the said rolling stock engines permanent way plant machinery and effects as they may consider it advisable to renew and generally may do or cause to be done all such acts and things and may enter into such arrangements respecting the mortgaged premises or the operation and management of the said railways and business or any part thereof

as they could do if they were absolutely entitled thereto and without being responsible for any loss or damage which may arise or be occasioned thereby.

18. Provided always that the trustees hereof shall by and out of the rents and profits and income of the mortgaged premises and the moneys received by them in operating the said railway or carrying on the said business pay and discharge the expenses incurred in and about such operation and management or in the exercise of any of the powers aforesaid or otherwise in respect of the premises and all outgoings which they shall think fit to pay and shall pay and apply the residue of the said rents profits and moneys in the same manner as is hereinbefore provided with respect to the moneys to arise from any sale.

19. The Company shall at all times keep an accurate register of the stock in the form and with the particulars mentioned in the first schedule hereto in respect of such register and the trustees hereof or any person appointed in writing by them shall be at liberty at all reasonable times to inspect the said register and to take copies of or extracts from the same or any part thereof and shall be entitled to be furnished with a copy or copies thereof.

20. The Company shall so long during the continuance of this security as it shall be in possession of the mortgaged premises operate the said railways and carry on and conduct the business of the Company in a proper and efficient manner and shall keep the hereditaments permanent way and all rolling stock plant machinery works fixtures fittings implements utensils and other effects therein or upon the same respectively and used for the purpose of or in connection with the said railways and businesses and every part thereof in a good state of repair and in perfect working order and condition and shall from time to time provide such substituted or additional rolling stock plant machinery and other effects as may be required for the proper and efficient operation of the said railways which substituted or additional rolling stock plant and effects it is hereby agreed and declared shall be subject in all respects to the trusts of these presents. Provided always that these presents and the trusts hereby declared shall not in anywise affect or be applicable to any new railways which the Company may hereafter acquire or construct or to the buildings rolling stock plant and other property effects or things appertaining thereto.

21. The Company may at any time hereafter by Deed under its common seal appoint an additional trustee or trustees of these presents and so long as and whenever there shall be more than two trustees hereof the majority of such trustees shall be competent to execute and exercise all the trusts powers and discretions hereby vested in the trustees hereof generally.

22. The Company doth hereby for itself and its successors covenant with the trustees hereof their heirs executors admin-

istrators and assigns that the Company its successors or assigns will not hereafter without the consent of the stockholders given as provided by the regulations in the 2nd Schedule hereto execute any deed of mortgage or any other instrument creating any mortgage lien charge or incumbrance which by such deed or instrument shall purport to be a mortgage lien charge or incumbrance upon the mortgaged premises or any parts thereof in priority to the stock or these presents or which shall in any manner impair the priority or precedence of these presents and of the stock as constituting a charge or lien upon the mortgaged premises subject only as aforesaid and also that the said sums of £100000 and £340000 stock when issued making the total sum of £440000 stock to be secured hereby shall subject to any rights for the time being subsisting under the said indentures of the 3rd day of September 1894 the 28th day of March 1895 and the 17th day of March 1896 or either of them or any of such charges liens and incumbrances referred to therein as now affect the same premises or any part or parts thereof be a charge on the said railways and other the mortgaged premises and shall subject as aforesaid take priority and precedence as a charge on the said property and mortgaged premises and every part thereof respectively over all securities now or at any time hereafter existing or created by the Company of any kind whatsoever and that as between the several holders of the stock hereby secured the stock shall rank concurrently without any preference or priority whatsoever but so nevertheless that the rents and revenues thereof shall be subject firstly to the payment of any penalty imposed for non-compliance with the requirements of "The Railway Act" respecting returns to be made to the Minister of Railways and Canals of the Dominion of Canada and secondly to the payment of the working expenditure of the railway as defined in the said Railway Act.

23. And it is hereby agreed and declared that the trustees hereof may exercise the powers herein conferred upon them either in the manner herein provided or by such action or actions in aid of the execution of such powers or otherwise as they being advised by counsel learned in the law shall deem most effectual for that purpose it being understood and hereby expressly declared that the rights of entry and sale herein granted are intended as cumulative remedies additional to all other remedies allowed by law and that the same shall not be deemed in any manner whatsoever to deprive the trustees hereof or the beneficiaries under this trust of any legal or equitable remedies by judicial proceedings consistent with the provisions of these presents according to the true intent and meaning thereof but no proceeding authorized by law or by this deed shall be taken to enforce payment of the principal and interest secured hereby except through the said trustees hereof.

24. And it is hereby agreed and declared that the said trustees hereof or any of them may resign the trusts hereby created and

be discharged from all further duty thereunder upon giving three months' notice in writing to the Company or upon such shorter notice as the Company may accept as sufficient and immediately upon receipt of such notice the Company shall cause information thereof to be given to the other trustees or trustee hereof for the time being. And in case at any time hereafter any trustee hereof shall die or resign or refuse or become incapable or unfit to act in the said trust a successor of such trustee hereof may be appointed by the surviving or remaining trustees or trustee or by the executor or administrator of the last surviving trustee by an instrument duly executed in that behalf under their or his hands and seals respectively but until default in payment of the principal or interest secured hereby such instrument shall be subject to the approval of the board of directors of the Company and shall have no force or effect until the board of directors signify their approval of such appointment by executing a consent to such appointment under the seal of the Company.

25. Upon every such appointment of a new trustee hereof as aforesaid the trust property shall if and so far as the nature of the property and other circumstances shall require or admit be transferred so that the same may without further or other conveyance or assignment be vested in the trustee or trustees hereof for the time being and the provisions of the Act of the Parliament of Great Britain and Ireland 56 and 57 Vic. c. 53 sections 10 to 12 inclusive shall so far as they are applicable and except when they are inconsistent with the provisions hereof apply to this deed. And every trustee hereof so appointed as aforesaid may as well before as after such transfer of the said trust property act or assist in the execution of and exercise all the trusts and powers of these presents as fully and effectually as if he had been hereby constituted a trustee hereof.

26. And it is hereby further agreed and declared that the trustees hereof shall be respectively answerable and accountable only for their own acts receipts neglects or defaults and that in addition to the ordinary right to indemnity by law given to trustees the Company shall at all times hereafter keep harmless and indemnified the trustees hereof and each of them their or his executors administrators and estates from and against all actions proceedings costs charges claims and demands whatever which may arise or be brought against them or him in respect of the execution of the trusts hereof or of any matter or thing done or omitted in relation thereto without their or his wilful default. And shall also reimburse the trustees hereof all costs charges and expenses properly incurred by them in the execution of the trusts hereof. Provided also that if and when the security hereby constituted shall become enforceable the Company shall pay or allow to the trustees hereof such reasonable remuneration in addition to such costs charges and expenses as aforesaid as the stockholders in meeting by any resolution or a judge on the application of the trustees hereof may deter-



mine and the same may be retained or paid by the trustees hereof to themselves.

27. It is hereby further agreed and declared that the trustees hereof shall not be bound to take any proceeding under this mortgage for providing obtaining recovering or enforcing payment of the stock or the interest thereon or for enforcing the performance of any of the covenants herein contained unless or until they are duly indemnified to their satisfaction against all expenses disbursements and costs which they may make or for which they may render themselves liable and for compensation and remuneration in respect of their own services and against any damage liability actions losses and costs which may arise or occur by reason of their taking such proceeding or proceedings.

28. It is hereby further declared and agreed that in any case in which the trustees hereof shall be called upon to act or to take any proceedings under these presents upon receiving requisition from the stockholders as aforesaid or any of them if such proceedings are taken by the trustees hereof in consequence of such requisition the said trustees hereof shall not be bound to inquire whether default has been made in payment of the principal or interest upon the stock or any part thereof or in the performance of any of the covenants of these presents and shall not be liable for any loss or damage that may occur in consequence of the exercise of the powers conferred upon them.

29. The trustees hereof may at any time after default shall have been made in payment of any principal moneys or interest or other moneys payable hereunder by the Company or upon any breach of the covenants on behalf of the Company herein contained upon giving notice to the Company of their intention so to do apply to a court of competent jurisdiction for an order that the trusts hereof may be administered under the direction of such court or otherwise and for the appointment of a receiver or manager or for such other relief in relation to the trusts as the trustees hereof may deem expedient.

In witness whereof the Company hath caused its common seal to be hereunto affixed and the present trustees have hereunto set their respective hands and seals the day and year first above written.

THE FIRST SCHEDULE ABOVE REFERRED TO.

CONDITIONS as to the issue by the Dominion Atlantic Railway Company of £4 per cent second debenture stock hereinafter called "the stock" not exceeding in the whole £440,000 stock.

1. At any time on or after the 1st day of January 1916 the Dominion Atlantic Railway Company hereinafter called the Company may give to the holders of the stock or any of them

not less than six calendar months' notice of its intention to redeem the stock held by them respectively at the price of £105 for every £100 of stock and at the expiration of the notice such stock shall be redeemed accordingly. Any of the stock of which such notice to redeem shall not have been given will be redeemed at par on the 1st day of July 1956 or at such earlier time as the stock ought to be redeemed in accordance with these presents and as and when any stock ought to be redeemed as aforesaid the Company will subject to these conditions pay to the several holders of the stock so entitled to be redeemed the redemption moneys therefor calculated at the respective rates aforesaid. For the purpose of this clause any notice may be given to any holder of stock by sending the same through the post in a prepaid letter addressed to such holder at his registered place of address and any notice so given shall be deemed to have reached the holder on the day following that on which it is posted.

2. The stock shall carry interest at the rate of £4 per cent per annum and the Company will pay to the stockholders interest on their respective parts thereof at the rate of £4 per cent per annum. Such interest shall be paid half yearly on the 1st day of January and the 1st day of July in every year.

3. The first issue of the stock shall be restricted to the sum of £100000 and no further part of the stock shall be issued except under the authority of a general meeting of the Company held as provided by The Railway Act (1888) of the Dominion of Canada.

4. Every stockholder will be entitled to a certificate under the seal of the Company stating the amount of stock held by him joint holders of stock being for this purpose treated as one person and every such certificate shall be in the form following or in such other form as shall be approved by the directors of the Company. The certificate shall be delivered to the stockholder or in the case of joint holders to the person whose name stands first in the register in respect of the stock so holden but no certificate shall be for a less sum than twenty pounds or one hundred dollars.

#### THE DOMINION ATLANTIC RAILWAY COMPANY.

#### CAPITAL—

Five per cent preference stock . . . . .	£270000
Ordinary stock . . . . .	230000

Total capital stock . . . . .	£500000
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£4 per cent first debenture stock £500000

First issue of £4 per cent second debenture stock for £100000 power being reserved with the sanction of a general meeting of shareholders to issue further sums of second debenture stock such further sums to rank *pari passu* with the first

issue of £100000 but so that the total of second debenture stock issued shall not exceed £440000. The first issue of £100000 £4 per cent second debenture stock is made under the provisions of The Railway Act of Canada 51 Vic. c. 29 and the Act of the Parliament of Canada to incorporate the Company 58-59 Vic. c. 47 and by resolutions of a special meeting of the shareholders held on 17th March 1896 and by resolutions of the board of directors passed on the 17th April 1896 Interest payable 1st January and 1st July.

£4 PER CENT SECOND DEBENTURE STOCK.

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No. .... Stock certificate for £.....

This is to certify that \_\_\_\_\_ of \_\_\_\_\_ is (or are) the proprietor(s) of \_\_\_\_\_ pounds part of £100000 £4 per cent second debenture stock the repayment and redemption of which stock and payment of interest thereon are secured by a trust deed dated the 17th day of April 1896 and which is issued subject to the provisions contained in the said deed and the schedules thereto.

Given under the common seal of the Company this day of \_\_\_\_\_ 189 .

NOTE—No transfer of the stock comprised in this certificate or any part thereof will be registered until this certificate has been delivered at the Company's office. Fractions of a pound of stock are not transferable and no certificate will be issued for a less sum than twenty pounds or one hundred dollars.

5. The Company will recognize the registered holder or holders of any part of the stock as the absolute owner or owners thereof and shall not be bound to take notice or see to the execution of any trust whether express implied or constructive to which any part of the stock may be subject and the receipt of the stockholder or of one of several joint holders of stock for the interest from time to time accruing due in respect thereof and for any moneys payable upon the redemption of the same shall be a good discharge to the Company notwithstanding any notice it may have whether express or otherwise of the right title and interest or claim of any other person to or in such part of the stock or moneys.

6. In case of the death of any one of the joint holders of any part of the stock the survivor shall be the only person recognized by the Company as having any title to or interest in such part of the stock.

7. A body corporate may be registered as one of the joint holders of a part of the stock and in any such case the persons and body corporate so registered shall be deemed to hold in joint tenancy with right of survivorship and the Company shall be at liberty to act on that footing and for the purpose of this clause the dissolution of a body corporate shall be treated as its death.

8. Every holder of any part of the stock will be entitled to transfer the same or any part thereof not being a fraction of a pound sterling by an instrument in writing in the usual common form of transfer.

9. Every such instrument must be signed both by the transferor and transferee and in the case of joint holders by all the joint holders then living and the transferor shall be deemed to remain owner of such part of the stock until the name of the transferee is entered in the register in respect thereof.

10. Every instrument of transfer must be left at the head office of the Company for registration accompanied by the certificate of the stock to be transferred and such other evidence as the directors may require to prove the title of the transferor or his right to transfer the stock.

11. All instruments of transfer which shall be registered will be retained by the Company. A fee not exceeding 2s. 6d. will be charged for registration of each transfer and must if required by the directors be paid before the registration of the transfer.

12. No transfer will be registered during the 14 days immediately preceding the 1st day of January and 1st day of July in each year.

13. The executors and administrators of a deceased holder of any part of the stock not being one of several joint holders shall be the only persons recognised by the company as having any title to such part of the stock.

14. Any person becoming entitled to any part of the stock in consequence of the death or bankruptcy of any holder of stock upon producing such evidence that he sustains the character in respect of which he proposes to act under this condition or of his title as the directors shall think sufficient may at his option either be registered himself as a holder of such part of the stock or may transfer the same.

15. The directors shall be at liberty to retain the interest payable upon any part of the stock which any person under the last preceding condition is entitled to until such person shall either become the registered owner thereof or shall duly transfer the same.

16. The interest upon any part of the stock may be paid by cheque sent through the post to the registered address of the holder or in case of joint holders to the registered address of that one of the joint holders who is first named on the register in respect of such part of the stock. Every such cheque shall be sent at the stockholders' risk and shall be made payable to the order of the person to whom it is sent and payment of the cheque shall be a satisfaction of the interest.

17. If any certificate issued pursuant to these conditions be worn out or defaced then upon production thereof to the directors they may cancel the same and may issue a new certificate in lieu thereof and if any such certificate be lost or destroyed then upon proof thereof to the satisfaction of the

directors and on such indemnity as the directors deem adequate being given a new certificate in lieu thereof may be given to the person entitled to such lost or destroyed certificate. An entry as to the issue of the new certificate and indemnity if any will be made in the register hereinafter mentioned. There shall be paid to the Company in respect of every new certificate issued under this clause a fee of 2s. 6d. and also any stamp duty payable thereon together with such costs as the directors of the Company may have incurred in inquiries respecting such loss or destruction and of the preparation and execution of any such indemnity.

18. A register of the stock will be kept by the Company in one or more books and there shall be entered in such register—

- (1) The names and addresses and description of the holders for the time being of the stock.
- (2) The amount of the stock held by every such person.
- (3) The date at which the name of every such person was entered in respect of the stock standing in his name and every part thereof.

19. Any registered holder of a part of the stock will upon payment of such fee as the directors shall from time to time fix not exceeding 1s. for each inspection be entitled at all reasonable times to inspect the said register.

20. No notice of any trust express implied or constructive shall be entered upon the register in respect of any part of the stock.

#### THE SECOND SCHEDULE ABOVE REFERRED TO.

##### REGULATIONS FOR MEETINGS OF STOCKHOLDERS.

1. The trustees of the above written indenture may at any time convene a meeting of the stockholders and such trustees shall convene such meeting on the request in writing of the holders of one-tenth part in amount of the stock. When a meeting is convened otherwise than by such trustees notice thereof shall be given to each of the trustees of the said indenture or if there be one such trustee only then to such trustee.

2. Fourteen days' notice at least specifying the place day and hour of meeting shall be given previously to any meeting of the stockholders such notice shall be given by circular letter sent through the post to the registered address of each of the stockholders any such notice shall specify the general nature of the business to be transacted at the meeting and shall be deemed to be served at the expiration of seven days after it is posted. A notice of every meeting shall also be given at least 14 days before the time fixed for the meeting by advertisement in the "Times" newspaper published in London England and in some daily newspaper published in Halifax in the Dominion of Canada. It shall not be necessary in such advertisement to specify the nature of the business to be transacted at the meeting thereby convened.

3. At any such meeting persons holding or representing by proxy one-fifth of the nominal amount of the stock then issued shall form a quorum for the transaction of business and no business shall be transacted at any meeting unless the requisite quorum be present at the commencement of the business and when the matter upon which the vote is to be taken is put to the meeting.

4. At every such meeting a trustee of the above-written indenture or (if no such trustee be present) then such person as the debenture holders present in person shall elect shall take the chair. Any such trustee and any directors or director of the Company may attend and speak at any such meeting but they shall not be entitled to vote unless in the capacity of the actual holder or holders of stock.

5. If within half an hour from the time appointed for any meeting of stockholders a quorum be not present the meeting shall stand adjourned to the same day in the next week but one at the same time and place and if at such adjourned meeting a quorum is not present the meeting shall stand adjourned *sine die*.

6. Every question submitted to a meeting of stockholders shall be decided in the first instance by a show of hands and in case of an equality of votes the chairman if a stockholder shall both on the show of hands and at a poll have a second or casting vote.

7. At any general meeting unless a poll is demanded by at least three stockholders whose united holdings shall be not less than £5000 of the stock a declaration by the Chairman that a resolution has been carried or carried by any particular majority or lost or not carried by a particular majority shall be conclusive evidence of the fact.

8. If at any such meeting a poll is so demanded by three or more stockholders holding as aforesaid it shall be taken in such manner and at such place or places and time not being less than 14 days nor more than one calendar month from the day of meeting and the result of such poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

9. The Chairman may with the consent of any such meeting adjourn the same from time to time provided a quorum be present when such consent is given.

10. Any poll demanded at any such meeting on the election of a chairman or on any question of adjournment shall be taken at the meeting without adjournment.

11. The stockholders whose names are on the Register at the date of any meeting or in the case of joint holders that one whose name stands first on the register as one of the holders of stock so registered shall be exclusively entitled to act in respect of such stock either in person or by proxy. Every instrument appointing a proxy must be in writing or partly in writing and partly in print and must be under the hand of the



ing in satisfaction of the said second debenture stock any debenture or debenture stock or preference guaranteed or ordinary stock of any railway or other company.

(d) Power to assent to any modifications of the provisions contained in the above written trust deed or in the conditions upon which the stock is issued or in these regulations.

15. An extraordinary resolution passed at a general meeting of the stockholders duly convened and held in accordance with the regulations contained in this schedule shall be binding upon all stockholders whether present or not present at such meeting. And every stockholder shall be bound to give effect thereto accordingly.

16. The expression "Extraordinary Resolution" as used in this schedule means a resolution which at a meeting of stockholders duly convened and held in accordance with the provisions herein contained is passed by a majority consisting of not less than three-fourths of the persons voting thereat upon a show of hands or if a poll is demanded then by a majority of not less than three-fourths of the votes given at such poll.

17. Minutes of all resolutions and proceedings at every such meeting of stockholders as aforesaid shall be made and entered in books to be from time to time provided for that purpose by the trustees or trustee of the above written indenture at the expense of the Company and any such minutes as aforesaid if purporting to be signed by the chairman of the meeting at which such resolutions were passed or proceedings had or by the chairman of the next meeting of stockholders shall be conclusive evidence of the matters therein stated and until the contrary is shown every such meeting in respect of the proceedings of which minutes have been



made shall be deemed to have been duly held and convened and all resolutions passed thereat or proceedings had to have been duly passed and had.

The Common Seal of the Dominion Atlantic Railway Company was hereunto affixed in the presence of



Seal of the  
Dominion  
Atlantic  
Railway  
Company.

FRANCIS TOTHILL  
President.

W. R. CAMPBELL  
General Manager  
and Secretary

Witness JOHN BRIDGES.

Signed sealed and delivered by  
the within-named THOMAS  
ROBERT RONALD in the pre-  
sence of

TH. R. RONALD. [L.S.]

JNO. BRIDGES  
Not. Pub.  
London.

Signed sealed and delivered by  
the within-named CHARLES  
FITCH KEMP in the presence  
of

C. FITCH KEMP. [L.S.]

JNO. BRIDGES  
Not. Pub.  
London.

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



## 63-64 VICTORIA.

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### CHAP. 60.

#### An Act respecting the Hereford Railway Company.

[Assented to 7th May, 1900.]

**W**HEREAS the Hereford Railway Company has, by its Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 19 of chapter 93 of the statutes of 1887 is repealed, and the following is substituted therefor:— 1887, c. 93, s. 19 amended

“**19.** The head office and general place of business of the Head office. Company shall be in the city of Sherbrooke, in the province of Quebec.”

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## 63 - 64 VICTORIA.

### CHAP. 61.

#### An Act respecting the Kaslo and Lardo-Duncan Railway Company.

[Assented to 7th May, 1900.]

**W**HEREAS the Kaslo and Lardo-Duncan Railway Company Preamble.  
has, by its petition, prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the  
said petition: Therefore Her Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

**1.** Subsection 1 of section 4 of chapter 48 of the statutes of 1897, c. 48,  
1897 is amended by substituting the word "Argenta" for the s. 4 amended.  
word "Lardo" in the fifth line thereof.

**2.** The Kaslo and Lardo-Duncan Railway Company, herein-  
after called "the Company," may complete the railway which Time for  
construction  
extended.  
by its Act of incorporation it was authorized to construct, or  
any portion thereof, within five years after the passing of this 1897, c. 48.  
Act, provided that as to so much thereof as is not completed  
within that period the powers of the Company shall cease and  
determine.

**3.** The Company may enter into an agreement with the Agreement  
with another  
company.  
Kootenay Railway and Navigation Company, Limited, for con-  
veying or leasing to such company, in whole or in part, the  
railway of the Company, or any rights or powers acquired  
under its Act of incorporation, as also the franchises, surveys,  
plans, works, plant, material, machinery, and other property to  
it belonging, or for an amalgamation with the said company,  
on such terms and conditions as are agreed upon, and subject  
to such restrictions as to the directors seem fit; provided that Approval of  
shareholders  
and Governor  
in Council.  
such agreement has first been approved by two-thirds of the  
votes at a special general meeting of the shareholders called  
for the purpose of considering it,—at which meeting share-  
holders 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.

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 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.

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most Excellent Majesty.



## 63-64 VICTORIA.

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### CHAP. 62.

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

[Assented to 14th June, 1900.]

**W**HEREAS the Lake Erie and Detroit River Railway Com-  
pany 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 Her Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

**1.** If the railway authorized by section 3 of chapter 88 of  
the statutes of 1891 is not completed and put in operation  
within five years from the passing of this Act, and if the  
railway authorized by section 1 of chapter 23 of the statutes of  
1896 (first session) is not commenced within two years and  
completed and put in operation within five years from the  
passing of this Act, then the powers of construction conferred  
upon the said Company by Parliament shall cease and be null  
and void as respects so much of the said railways as then re-  
mains uncompleted.

Preamble.

Time for  
construction  
extended.

1891, c. 88;  
1896 (1st Sess.)  
c. 23.

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most Excellent Majesty.





# 63-64 VICTORIA.

## CHAP. 63.

### An Act to incorporate the Lake Superior and Hudson's Bay Railway Company.

[Assented to 7th July, 1900.]

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

**1.** John Patterson, John Moodie and William Woodburn Osborne, of the city of Hamilton, William Ashall Firstbrook, Hugh Blain, Newton W. Rowell and William Morris, of the city of Toronto, and George Edward Drummond, of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of "Lake Superior and Hudson's Bay Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

**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 Toronto; 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 fourth Tuesday 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 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.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from a point at or near Batchewana Bay on the north shore of Lake Superior in a generally northerly direction to a point on the main line of the Canadian Pacific Railway and thence crossing the Canadian Pacific Railway northerly to a point on James Bay at or near the mouth of the Albany River, and from a point on the said proposed line of railway at or near the Albany River north-westerly to Fort Churchill or a point near thereto on Hudson's Bay.

Powers.

9. The Company may, in connection with its undertaking and for the purposes 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 of the same either directly or by converting the same into electric or other power and energy;

Vessels.

(d.) construct, charter, navigate and dispose of steam and other vessels;

Transportation.

(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.

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 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 company.

2. The Company may enter into an agreement 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.

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. Rates to be approved.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

11. The Company may receive by grant from any government, corporation or person in aid of the construction, purchase, equipment or maintenance of any of its works, any Crown lands, real or personal estate or property, bonuses, debentures or subsidies, or securities for money or the guarantee of the bonds of the Company, and may dispose thereof, and may alienate such property, other than right of way, acquired for railway purposes. Aid to Company.

12. The Company may, under the authority of a resolution passed by the ordinary shareholders at a special meeting duly called for that purpose, representing at least three-fourths in value of the shareholders of the Company, 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. Preference stock.

2. Holders of shares 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 shareholder, be entitled to the preference and rights given by such resolution. To have rights of shareholders.

3. Nothing in this section contained or done in pursuance thereof, shall affect or impair the rights of creditors of the Company. Creditors' rights not affected.

13. 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 the railway constructed or under contract to be constructed. Bonds on railway.

14. 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. Bonds for vessels, etc.

Mortgage to  
secure bonds.

**15.** 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 special general meeting of shareholders mentioned in the next preceding section.

How to be  
made.

2. 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 or 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.

Lien created  
by mortgage.

3. The Company may charge and bind the tolls and revenues of the vessels or class of vessels or property other than the railway to which any such mortgage relates, in the manner and to the extent therein specified; and each such mortgage shall create absolutely 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 bond-  
holders to  
rank.

**16.** 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.

Mortgage to  
be filed.

Agreement  
with another  
railway  
company.

**17.** The Company may enter into an agreement with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Ontario, Hudson's Bay and Western Railways Company, or the Algoma Central 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

Approval of  
shareholders  
and Governor  
in Council.

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.

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. 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.

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## 63-64 VICTORIA.

### CHAP. 64.

#### An Act to incorporate the Manitoulin and North Shore Railway Company.

[Assented to 7th July, 1900.]

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

**1.** John McKay of the town of Sault Ste. Marie in the dis- Incorporation.  
trict of Algoma, James Cleland of the town of Meaford in the  
county of Grey, Thomas John Ryan of the town of Sudbury in  
the district of Nipissing, Thomas Chapman Sims of the town  
of Little Current in the district of Manitoulin, Alexander  
Grant Mackay of the town of Owen Sound in the county of  
Grey, Robert Adam Lyon, William Howard Hearst and  
William Brown of the town of Sault Ste. Marie in the district  
of Algoma, together with such persons as become shareholders  
in the company, are incorporated under the name of "The  
Manitoulin and North Shore Railway Company," hereinafter Corporate  
name.  
called "the Company."

**2.** The persons named in section 1 of this Act are constitut- Provisional  
directors.  
ed provisional directors of the Company.

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

**4.** The head office of the Company shall be in the town of Head office.  
Sault Ste. Marie, in the district of Algoma, in the province of  
Ontario or in such other place in Canada as is fixed by by-  
law.

**5.** The annual meeting of the shareholders shall be held on Annual  
meeting.  
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 not less than five nor more than twelve 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 in or near the town of Little Current, in the district of Manitoulin, in the province of Ontario, thence northerly and easterly a distance of one hundred miles, crossing the main line of the Canadian Pacific Railway Company at or near Onaping or Cartier Stations, and also from a point in or near the township of Drury or Hyman on its said line of railway, thence easterly to the town of Sudbury, in the district of Nipissing, and also from a point at or near the said town of Little Current, thence south-easterly to a suitable point on the south shore of Manitoulin Island or Fitzwilliam Island, and from a point near Tobermoray, in the county of Bruce, thence south and easterly to the town of Meaford, in the county of Grey, passing through or near the towns of Wiarton and Owen Sound.

Powers.

8. The Company may, in connection with its undertaking and for the purposes of its business,—

Docks, etc.

(a.) erect and maintain docks, dockyards, wharfs, slips and piers at any point on or in connection with its railway, and all the termini thereof, on navigable waters, for the convenience and accommodation of railway ferries and vessels;

Ferries.

(b.) acquire and run railway ferries, steam and other vessels for cargo and passengers upon any navigable waters which its railway may connect with;

Electricity.

(c.) 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.

Telegraph and telephone lines.

9. The Company may construct, erect 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 for the purposes 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.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

**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 constructed or under contract to be constructed. Bond issue limited

**11.** The Company may enter into an agreement with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the James Bay Railway Company, the Ontario and Sault Ste. Marie Railway Company, or the Sudbury and Wahnapiatae 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. 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 and 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.

**12.** 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 after the passing of this Act, or if the railway is not finished and put in operation within five years after the passing of this Act, the powers granted Time for construction limited.



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.

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## 63-64 VICTORIA.

### CHAP. 65.

#### An Act respecting the Montfort and Gatineau Colonization Railway Company.

[Assented to 14th June, 1900.]

**W**HEREAS the Montfort and Gatineau Colonization 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Montfort and Gatineau Colonization Railway Company, hereinafter called "the Company," may extend its line of railway from its present terminus near St. Sauveur to a point on the line of the Great Northern Railway Company near St. Canut, in the county of Two Mountains, and thence to a junction with the line of the Jacques Cartier Union Railway Company in the county of Jacques Cartier near the city of Montreal.

**2.** The Company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the extension of its line hereby authorized.

**3.** Section 9 of chapter 75 of the statutes of 1898 is amended by inserting after the word "Company" in the second line the words "the Grand Trunk Railway Company of Canada, the Jacques Cartier Union Railway Company."

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## 63-64 VICTORIA.

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### CHAP. 66.

#### An Act respecting the Montreal and Ottawa Railway Company.

[Assented to 7th May, 1900.]

**WHEREAS** the Montreal and Ottawa Railway Company Preamble.  
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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Montreal and Ottawa Railway Company may complete the railway which it is authorized to construct, or any portion or portions thereof, within four years from the passing of this Act; provided that as to so much thereof as is not completed within that period the power hereby granted shall cease and determine. Time for construction extended.

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## 63-64 VICTORIA.

### CHAP. 67.

#### An Act to incorporate the Morris and Portage Railway Company.

[Assented to 14th June, 1900.]

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

**1.** Francis N. Bell, of the town of Morris, Thomas H. Metcalfe and Charles Metcalfe of the town of Portage la Prairie, John Robert Grant, Henry Edwards Sharpe and William A. Cavanaugh of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company, are incorporated under the name of "The Morris and Portage 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 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 Winnipeg, in the province of Manitoba, or in such other place in Canada as is fixed by by-law. Head office.

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

**7.**

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 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 a point in or near the town of Morris, in the province of Manitoba, or in or near Union Point, a station on the line of the Northern Pacific and Manitoba Railway Company, thence north-westerly to a point in or near the town of Portage la Prairie, in the said province.

Bond issue limited.

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

Agreement respecting a bridge.

**10.** If the Company builds a bridge for railway purposes across the Assiniboine River between Morris and Portage la Prairie aforesaid, it may enter into any agreement with any municipality interested in the said bridge for the purpose of so altering it as to make it available for the use of foot passengers and vehicles as well as for the purposes of the railway, and for that purpose the Company may receive any money or grant in connection with the said bridge, either as aid or otherwise.

Aid to bridge.

Agreements with other companies.

**11.** The Company may enter into an agreement with the Canadian Pacific Railway Company, the Northern Pacific and Manitoba Railway Company, the Manitoba and South-eastern Railway Company, or the Canadian Northern 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

electoral districts through which the railway of the Company runs, and in which a newspaper is published.

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.

12. The Company may construct, work and maintain a telegraph line and telephone lines along the whole length of its railway and branches, and may establish offices for the transmission of messages for the public; and for the purpose of erecting and working such telegraph and telephone lines the Company may enter into a contract with any other company.

Telegraph and  
telephone  
lines.

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.

Arrangements  
with telegraph  
and telephone  
companies.

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.

Rates to be  
approved.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company.

R.S.C., c. 132.

13. 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 after the passing of this Act, or if the railway is not finished and put in operation within five years after 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.

Time for  
construction  
limited.







## 63 - 64 VICTORIA.

### CHAP. 68.

#### An Act respecting the Nipissing and James Bay Railway Company.

[Assented to 7th July, 1900.]

**W**HEREAS the Nipissing and James Bay Railway Com-<sup>Preamble.</sup>  
pany 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 Her Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows :—

1. The time limited for the commencement of the railway <sup>Time for</sup>  
of the Nipissing and James Bay Railway Company to Lake <sup>construction</sup>  
Tarnogaming is hereby extended for a period of two years <sup>extended.</sup>  
from the ninth day of July, one thousand eight hundred and  
ninety-nine, and if that portion of the railway is not finished  
and put in operation within four years from the said date and  
the remainder of the said railway is not completed in five years  
thereafter, the powers conferred upon the said Company by  
Parliament shall cease and be null and void as respects so  
much of the railway as then remains uncompleted.

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## 63-64 VICTORIA.

### CHAP. 69.

#### An Act respecting the Ontario and Rainy River Railway Company.

[Assented to 7th May, 1900.]

**W**HEREAS the Ontario and Rainy River Railway Company Preamble. has by its petition prayed that it be enacted as herein-after set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The time for the completion of that part of the railway of 1898, c. 81, the Ontario and Rainy River Railway Company being the s. 1. eighty miles extending from the junction with the railway of the Port Arthur, Duluth and Western Railway towards Rainy Lake, in the province of Ontario, is hereby extended for a Extension of time for construction of certain portion of line. period of twelve months from the thirtieth day of July, one thousand nine hundred, and if the said eighty miles of railway are not completed within the said period, then the powers of construction granted to the Company shall cease and be null and void as respects so much of the said eighty miles of railway as then remain uncompleted.

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## 63 - 64 VICTORIA.

### CHAP. 70.

#### An Act respecting the Oshawa Railway Company.

[Assented to 14th June, 1900.]

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

**1.** The Oshawa Railway Company, hereinafter called “the Company,” may, in connection with its railway and for the purposes of its business,—

(a.) acquire lands and erect, use and manage works, manufacture machinery and plant for the generation, transmission and distribution of electric power and energy and other motive power; Electric and other motive power.

(b.) build and maintain power houses and stations for the development of electrical force and energy and other motive power; Power houses.

(c.) locate, acquire, work and dispose of mines, mineral lands, minerals, mining rights, timber and timber lands and the products thereof, and develop such mines, and crush, smelt, reduce, amalgamate and dispose of the ores and products of any mine; Mining.

(d.) 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; Patent rights.

(e.) sell or lease any surplus power which the Company 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. Surplus power.

**2.** Notwithstanding anything contained in the Acts relating to the Company, the head office of the Company shall be in the town of Deseronto, or in such other place in Canada as the directors from time to time determine by by-law. Head office.

Annual  
meeting.

**3.** The annual meeting of the shareholders shall be held on the second Monday in September in each year.

Time for  
construction  
of railway  
extended.

**4.** The time limited for the completion of the railway, branches and extensions is extended for five years from the passing of this Act, and if the said railway, branches and extensions are not then completed the powers granted by Parliament for such construction shall cease and be null and void as respects so much of the undertaking as then remains uncompleted.

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## 63 - 64 VICTORIA.

### CHAP. 71.

#### An Act to incorporate the Ottawa, Brockville and St. Lawrence Railway Company.

[Assented to 7th July, 1900.]

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

**1.** Alexander McLean, James Straton, George Eldon Kidd Incorporation.  
and Charles Willson Farran Gorrell, of the city of Ottawa, Daniel Derbyshire and Daniel Downey, of the town of Brockville, A. E. Baker, Robert W. Watchorn and G. B. Magee of the village of Merrickville, in the county of Grenville, together with such persons as become shareholders in the company, are incorporated under the name of "The Ottawa, Corporate  
Brockville and St. Lawrence Railway Company," hereinafter name.  
called "the Company."

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

**3.** The persons named in section 1 of this Act are constituted Provisional  
provisional directors of the Company. directors.

**4.** The capital stock of the Company shall be five hundred Capital stock.  
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.

**5.** The head office of the Company shall be at the city of Head office.  
Ottawa.

**6.** The annual meeting of the shareholders shall be held on Annual  
the first Tuesday in September in each year. 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 seven 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 Ottawa, thence through the counties of Carleton, Grenville and Leeds, to a point in or near the town of Brockville, in the said county of Leeds : Provided that, notwithstanding anything in this Act or in any other Act contained, the Company shall not be authorized or have any power to build or operate a street railway in any part of the city of Ottawa or of the village of Hintonburg ; and provided further, that the Company shall not build or operate its railway or any branch railway within one mile of the railway of the Ottawa Electric Railway Company at Britannia, in the township of Nepean.

Provisoos.

Bond issue limited.

**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.

Electricity.

**10.** The Company may, in any of the said municipalities except in the city of Ottawa and the village of Hintonburg, for the purposes of its undertaking, erect, use and carry on works for the generation, transmission and distribution of electrical power and energy ; and acquire, develop and utilize water and steam power for the purpose of generating electricity for all purposes in connection with its railway and works, and may, in any of the said municipalities except the city of Ottawa and the village of Hintonburg, dispose of any surplus electricity or other power generated by its works, and not required for operating its railway or other works ; and acquire exclusive rights in letters patent, franchises or patent rights for the purposes of the works hereby authorized and again dispose thereof.

Ferry.

**11.** The Company may construct, own and operate a ferry from a point in or near the town of Brockville, in the county of Leeds, across the River St. Lawrence, to a point in or near the town of Morristown, in the state of New York, for the purpose of transporting trains, passengers, goods and merchandise in connection with the business of the Company.

Agreement with another company.

**12.** The Company may enter into an agreement with the Ottawa Electric Railway Company, the Canada Atlantic Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, or the Brockville, Westport and Sault Ste. Marie Railway Company, for conveying

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, materials, machinery and other property to it belonging, or form 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.

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.

13. The Company, in connection with its railway and for the purposes of its business, may construct, acquire and maintain wharfs, docks, elevators and warehouses in or near the town of Brockville, and may collect wharfage, storage and other charges for the use thereof.

Wharfs, etc., at Brockville.

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 within two years after the passing of this Act, or if the railway is not finished and put in operation within five years after 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.

Time for construction limited.

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## 63-64 VICTORIA.

### CHAP. 72.

#### An Act respecting the Pontiac Pacific Junction Railway Company.

[Assented to 7th May, 1900.]

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

**1.** The Pontiac Pacific Junction Railway Company, hereinafter called “the Company,” may lay out, construct, maintain, and operate a railway from a point on its present line of railway in or near the village of Shawville, in a westerly direction, across the Ottawa River and through the county of Renfrew to a point in or near the town of Pembroke in the province of Ontario. Line of railway described.

**2.** The Company may construct, maintain and use such bridges as may be necessary to carry the line of railway over the Ottawa River from a point in the county of Pontiac on the line of railway which it is by this Act authorized to construct to some point on the said line of railway in the province of Ontario, and may use such bridge or bridges for railway and other purposes, and may also construct, maintain, and operate all the necessary approaches and facilities for such bridges. Bridges authorized.

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

**3.** The Company may issue bonds, debentures or other securities to the extent of twenty-five thousand dollars per mile of the railway which the Company is by this Act authorized to construct, and such bonds, debentures or other securities Bond issue on railway.

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

Bond issue  
on bridges.

**4.** The Company may also issue bonds, debentures or other securities to an amount not exceeding five hundred thousand dollars in aid of the bridges hereby authorized.

Time for  
construction  
of railway  
limited.

**5.** If the railway authorized by section 1 of this Act is not commenced within two years and completed within five years from the passing of this Act, the powers granted for the construction thereof shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for  
construction.

**6.** So soon as the line of railway authorized by this Act is completed to Pembroke, the Company shall proceed with the construction of its line from Waltham in a north-westerly direction to some point at or near Ferguson's Point; and the times limited for the commencement and completion of the extensions and branches authorized to be constructed by section 1 of chapter 84 of the statutes of 1899, are hereby extended for two and five years respectively from the passing of this Act, and if the said extensions and branches are not commenced and completed as herein provided, the powers granted for such construction shall cease and be null and void as respects so much thereof as then remains uncompleted.

1899, c. 84.

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most Excellent Majesty.



## 63-64 VICTORIA.

### CHAP. 73.

An Act to incorporate the Port Dover, Brantford, Berlin and Goderich Railway Company.

[Assented to 7th May, 1900.]

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

**1.** Jonathan Ellis, of Port Dover, Simon Snyder, of the town Incorporation. of Waterloo, Charles H. Waterous, of the city of Brantford, John Stewart Clark, of Ayr, David W. McNair, of the city of New York, William H. Breithaupt, of the town of Berlin, David Arthur Bowlby, of the town of Simcoe, Frederick Colquhoun, of the town of Berlin, and Charles A. Austin, of the town of Simcoe, together with such persons as become shareholders in the company, are hereby incorporated under the name of “The Port Dover, Brantford, Berlin and Goderich Corporate name. Railway Company,” hereinafter called “the Company.”

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

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

**4.** The capital stock of the Company shall be four million Capital stock and calls thereon. 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.

**5.** The head office of the Company shall be in the town of Head office. Galt, but the directors may by by-law change the place of the head office to any other place in Canada.

**6.** The annual meeting of the shareholders shall be held on Annual meeting. the first Wednesday in September 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 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 Port Dover on Lake Erie, passing through or near the town of Simcoe and through or near the village of Waterford, in the county of Norfolk, to a point in or near the city of Brantford, thence to the town of Berlin, in the county of Waterloo, and thence in a north-westerly direction through the counties of Perth and Huron, to the town of Goderich on Lake Huron.

Branch lines.

**9.** The Company may also lay out, construct and operate the following branch lines:—

- (a.) from the town of Berlin to the town of Elora ;
- (b.) from the town of Waterloo to the town of Listowel ; and
- (c.) from the town of Berlin to the city of Stratford.

Powers of Company.  
Transportation.  
Vessels.

**10.** The Company may, for the purposes of its undertaking, (a.) construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods and merchandise between any ports of Canada and between any port of Canada and any port of any other country, and may dispose of the said vessels, and may carry on the business of elevating grain, of common carriers of passengers and goods, and of forwarders, wharfingers, warehousemen and ship-builders ;

Buildings.

(b.) construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other facilities or buildings.

Telegraph and telephone lines.

**11.** 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 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 telegraph business of the Company.

Electricity.

**12.** The Company may, for the purposes of its undertaking, acquire and utilize water and steam power for the purpose of compressing

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.

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 portion thereof, by the force and power of liquid or compressed air. Liquid and compressed air.

13. 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. Bond issue limited.

14. 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. Borrowing powers.

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. Limitation.

15. The Company may enter into an agreement with the Grand Trunk Railway Company of Canada, the Michigan Central Railway Company, the Canadian Pacific Railway Company, the Wabash Railway Company, or the Toronto, Hamilton and Buffalo 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 first been 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.



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.

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



## 63 - 64 VICTORIA.

### CHAP. 74.

#### An Act to incorporate the Quebec and Lake Huron Railway Company.

[Assented to 7th July, 1900.]

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

**1.** The Honourable Jules Tessier, the Honourable Adélard Incorporation.  
Turgeon, the Honourable C. A. P. Landry, the Honourable  
Charles Langelier, Roger Larue, Thomas Davidson and John  
D. Cameron, of the city of Quebec, Henry George Carroll,  
of the town of Fraserville, J. D. Hawks, John M. Nicol,  
Samuel F. Angus, William L. Holmes, Cameron Currie and  
Frederick W. Hayes, of the city of Detroit, in the state of  
Michigan, one of the United States, and Henry F. Shoemaker,  
of the city of New York, in the state of New York,  
together with such persons as become shareholders in the  
company, are incorporated under the name of "The Quebec Corporate  
and Lake Huron Railway Company," hereinafter called "the name.  
Company."

**2.** The persons named in section 1 of this Act are constitut- Provisional  
ed provisional directors of the Company. directors.

**3.** The capital stock of the Company shall be five million Capital stock.  
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.

**4.** The head office of the Company shall be in the city of Head office.  
Quebec.

**5.** The annual meeting of the shareholders shall be held on Annual  
the first Monday in September in each year. meeting.

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 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 in or near the city of Quebec to a point at or near the mouth of French River, on the Georgian Bay, following as much as possible a straight line between those two points, crossing the River St. Maurice at or near Grandes Piles, passing near the village of St. Michel des Saints on the River Matawin, crossing the River du Lièvre at or near Rapide de l'Original, the River Gatineau in the vicinity of the village of Rivière Joseph, in the township of Aumond, and the River Ottawa near the village of Mattawa, and running south of Lake Nipissing to the Georgian Bay.

Powers.

**8.** The Company may, in connection with its undertaking and for the purposes of its business,—

Docks, etc.

(a.) erect and maintain docks, dockyards, wharfs, slips and piers at any point on or in connection with its railway, and all the termini thereof, on navigable waters, for the convenience and accommodation of railway ferries and vessels;

Ferries.

(b.) acquire and run railway ferries, steam and other vessels for cargo and passengers upon any navigable waters which its railway may connect with;

Electricity.

(c.) 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;

Elevators.

(d.) acquire and work elevators.

Bond issue limited.

**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.

Time for construction limited.

**10.** 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 after the passing of this Act, or if the railway is not finished and put in operation within five years after 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.



## 63-64 VICTORIA.

### CHAP. 75.

#### An Act to incorporate the Quebec and New Brunswick Railway Company.

[Assented to 14th June, 1900.]

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

**1.** Honourable John Costigan of the city of Ottawa, Arthur Incorporation. M. Déchène of St. Roch des Aulnaies, Quebec. Thomas Malcolm of Edmundston, New Brunswick, George Carroll of Rivière du Loup, Hon. F. G. M. Déchène of the city of Quebec, Hon. A. Turgeon of Levis, John U. Gregory of the city of Quebec, George A. Murchie of Calais, Maine, United States, Augure Bernier of Edmundston, Thomas Clair of St. Francis, and Alphonse Bertrand and Thomas James Cochran, of Edmundston, New Brunswick, together with such persons as become shareholders in the company, are incorporated under the name of the “Quebec and New Brunswick Railway Company,” hereinafter called “the Company.” 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 nine hundred Capital stock. 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.

**4.** The head office of the Company shall be in the city of Head office. Quebec, or at such other place in Canada as may be determined by by-law.

**5.** The annual meeting of the shareholders shall be held on Annual meeting. the third Wednesday in September in each year.

**6.**

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 five 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 Connor Station on the St. Francis branch of the Temiscouata Railway, in the county of Madawaska, in the province of New Brunswick, to a point on the Intercolonial Railway at or near St. Charles Junction, or a point on the Quebec Central Railway at or near St. Anselme, or a point on the Grand Trunk Railway at or near Chaudière Junction in the province of Quebec, a distance of about one hundred and thirty miles.

Bond issue limited.

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

Agreement with another company or Government of Canada.

9. The Company may enter into an agreement with the Temiscouata Railway Company, the Quebec Central Railway Company, the Grand Trunk Railway Company of Canada or the Government of Canada for conveying or leasing to such company or Government 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 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.

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.

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.

**10.** 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 after the passing of this Act, or if the railway is not finished and put in operation within five years after 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.

Time for  
construction  
limited.

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most Excellent Majesty.





## 63-64 VICTORIA.

### CHAP. 76.

#### An Act to incorporate the Quebec Southern Railway Company.

[Assented to 7th July, 1900.]

**W**HEREAS the franchise, railway and property of the Preamble.  
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, one thousand nine hundred; and whereas George Casimir Dessaulles, of the city of St. Hyacinthe, became the purchaser and *adjudicataire* of the franchise, railway and property so sold and adjudged by the sheriff of the district of St. Hyacinthe as aforesaid; and whereas the said purchaser bought and became vested with the said property for the purpose of holding, maintaining and operating the said railway, its property and appurtenances; and whereas it is expedient to incorporate a company with all the powers and privileges necessary for the said purpose; 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

**1.** Frank D. White and Hiram A. Hodge, of Rutland, in the state of Vermont, one of the United States, George Incorporation.  
Casimir Dessaulles, of the city of St. Hyacinthe, and G. Hugh Semple, of the city and district of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of “The Quebec Southern Railway Company,” hereinafter called “the Corporate name.  
Company.”

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



Provisional directors.

**3.** Frank D. White, Iiram A. Hodge, George Casimir Dessaulles and G. Hugh Semple 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 St. Hyacinthe, but may be changed to any 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 second Tuesday in September 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 five persons to be directors of the Company, one or more of whom may be paid directors.

Power to acquire United Counties Railway.

**8.** The Company may acquire the railway of the United Counties Railway Company mentioned in the preamble, and may hold, operate and run 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, together with the rights, privileges and property of the said railway.

Power to acquire franchises of East Richelieu Valley Railway. Existing rights preserved.

**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 limited.

**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.

**11.** The Company may enter into agreements with 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.

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 the 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.

**13.** 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.

Land for warehouses, etc.  
Vessels.

**14.** 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.

Companies not relieved from railway laws.





# 63-64 VICTORIA.

## CHAP. 77.

### An Act respecting the Red Deer Valley Railway and Coal Company.

[Assented to 18th July, 1900.]

**W**HEREAS the Red Deer Valley Railway and Coal Com- Preamble.  
pany, hereinafter called "the Company," has by its 1889, c. 52;  
petition prayed that it be enacted as hereinafter set forth, and 1891, c. 76;  
it is expedient to grant the prayer of the said petition: 1894, c. 90;  
Therefore Her Majesty, by and with the advice and consent of 1897, c. 60;  
the Senate and House of Commons of Canada, enacts as 1899, c. 86.  
follows:—

**1.** If the construction of the Company's railway is not Extension of  
begun and fifteen per cent of the capital stock is not expended time for  
on such construction by the first day of July, one thousand construction.  
nine hundred and one; or—

If fifty continuous miles of the railway, measuring from the 1899, c. 86,  
point of commencement at or near the city of Calgary, are s. 1 amended,  
not constructed by the first day of January, one thousand nine and new  
hundred and two; or— conditions  
imposed.

If the railway is not finished and put in operation by the  
first day of July, one thousand nine hundred and three,—

Then the powers granted by *The Railway Act* and by the  
special Acts relating to the Company shall cease and be null  
and void with respect to so much of the railway as then re-  
mains uncompleted.

**2.** Section 2 of chapter 60 of the statutes of 1897, and 1897, c. 60,  
chapter 86 of the statutes of 1899, are hereby repealed. s. 2 and 1899,  
c. 86 repealed.

**3.** After the Company has constructed its railway from Extension of  
Calgary to a point on the Red Deer River in township 32, railway  
range 21, west of the fourth principal meridian, it shall have authorized.  
power to extend its line from the said point in a north-easterly  
direction to the River Saskatchewan at a point between  
Fort Pitt and Battleford.

**4.** If the construction of such extension is not commenced Limitation  
within two years after the completion of the railway to the of time for  
said construction  
of extension.

said point on the Red Deer River, or if such extension is not finished and put into operation in seven years from such completion, then the powers with respect to such extension hereby granted shall cease and be null and void with respect to so much of such extension as then remains uncompleted.

As to coming  
into force of  
this Act.  
Deposit to be  
made.  
Notice.

**5.** This Act shall not come into force unless the Company, before the first day of October, one thousand nine hundred, deposits with the Minister of Finance and Receiver General fifty thousand dollars in cash.

Date of  
coming into  
force.

**2.** If such deposit is so made the Minister of Finance and Receiver General shall publish notice thereof in *The Canada Gazette*, and upon such publication this Act shall be deemed to have come into force on the first day of July, one thousand nine hundred.

Return of  
deposit.

**3.** The Minister of Finance and Receiver General shall repay such deposit to the Company,—

On certificate  
as to building  
of 25 miles.

(a.) if the chief engineer of the Department of Railways and Canals has certified that, to his satisfaction, twenty-five continuous miles of the railway, measuring from the point of commencement at or near the city of Calgary, have been built and the track has been laid thereon ; or

Or if the  
Company's  
powers lapse  
before work is  
begun.

(b.) if by the first day of July, one thousand nine hundred and one, the construction of the railway has not been begun and fifteen per cent of the capital stock has not been expended thereon.



## 63 - 64 VICTORIA.

### CHAP. 78.

#### An Act respecting the Restigouche and Western Railway Company.

[Assented to 14th June, 1900.]

**WHEREAS** the Restigouche and Western Railway Com- Preamble.  
pany has, by its petition, represented that it was incor-  
porated by chapter 82 of the statutes of the province of New  
Brunswick, of 1897, and has prayed that it be enacted as here- N. B., 1897,  
inafter set forth, and it is expedient to grant the prayer of c. 82.  
the said petition: Therefore Her Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, declares and enacts as follows:—

**1.** The Restigouche and Western Railway Company, here- Power to  
inafter called "the Company," may construct, maintain and build a bridge.  
use a bridge for railway purposes across the Saint John River  
from the western terminus of the railway which, by its said  
Act of incorporation it is authorized to construct on the eastern  
side of the said river between Grand Falls in the county of  
Victoria and Edmundston in the county of Madawaska, in the  
province of New Brunswick, to a point on the opposite side of  
the said river, and may lay tracks on the said bridge for the  
passage of locomotive engines and railway trains, with all the  
necessary approaches, tracks, machinery and appliances required  
to enable the Company to use the said bridge; and may  
purchase, acquire and hold such real estate, including land for  
sidings and other such like accommodation required for the  
convenient working of the traffic to, from and over the said  
bridge, as may be necessary therefor.

**2.** Should the site selected for the proposed bridge be such Authorization  
that the western terminus thereof will be in the state of Maine, by United  
one of the United States, the Company shall not commence States.  
the actual erection of the said bridge until an Act of the Con-  
gress of the United States, or an Act of the legislature of the  
state of Maine, has been passed authorizing or approving the  
bridging of the said river as aforesaid, nor until the Executive  
of the United States has consented to and approved such  
bridging,

bridging, but the Company may, in the meantime, acquire the lands, submit its plans to the Governor in Council, and do all other things authorized by this Act, except the commencement of the actual construction of the bridge.

Agreement  
with United  
States  
company.

**3.** The Company may, after obtaining the sanction of the Governor in Council in the manner provided in *The Railway Act*, unite with any other company incorporated under the laws of the state of Maine or of the United States, in building the bridge and its approaches, and in working, managing, maintaining and using the same, and may enter into any agreement with such company respecting the construction, maintenance, management and use of the said bridge and its approaches.

Declaratory.

**4.** The said bridge is hereby declared to be a work for the general advantage of Canada.

Bond issue.

**5.** In addition to the powers already possessed by the Company, it may, in respect of the said bridge and for the purpose of its construction, issue bonds, debentures or other securities to an amount not exceeding two hundred and fifty thousand dollars.

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most Excellent Majesty.



## 63 - 64 VICTORIA.

### CHAP. 79.

#### An Act to incorporate the St. Mary's River Railway Company.

[Assented to 14th June, 1900.]

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

**1.** Elliott T. Galt, Charles A. Magrath and Peter L. Naismith, of the town of Lethbridge, William M. Ramsay, of the city of Montréal, and Alexander Ferguson, of the city of Ottawa, together with such persons as become shareholders in the company, are incorporated under the name of "The St. Mary's River 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 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 in the town of Lethbridge, in the North-west Territories.

Head office.

**5.** The annual meeting of the shareholders shall be held on the third 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 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 any gauge from some point between Lethbridge and Stirling on the railway of the Alberta Railway and Coal Company,

Line of railway described.



Company, to some point on the international boundary line, between ranges 24 and 30, west of the fourth meridian, in the North-west Territories.

Conversion to standard gauge.

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.

Branch lines.

3. The Company, with the approval of the Governor in Council first had and obtained, may also lay out, construct and operate any branch lines or extensions that may be necessary from any point on its main line, but such branch lines or extensions shall not exceed fifteen miles in length in any one case.

Bond issue limited.

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

Agreement with another company.

9. The Company may enter into an agreement with the Canadian Pacific Railway Company or the Alberta Railway and Coal 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.

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.

Notice of application for sanction.

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.



## 63 - 64 VICTORIA.

### CHAP. 80.

#### An Act respecting the Salisbury and Harvey Railway Company.

[Assented to 7th July, 1900.]

**WHEREAS** the Salisbury and Harvey Railway Company Preamble.  
has, by its petition, prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the 1891, c. 100.  
said petition: Therefore Her Majesty, by and with the  
advice and consent of the Senate and House of Commons of  
Canada, enacts as follows:—

**1.** The Salisbury and Harvey Railway Company, herein-  
after called "the Company," may lay out, construct and Lines of  
railway  
described.  
operate branch lines of the gauge of four feet eight and one-  
half inches from the Company's line of railway, as follows:—

(a.) from Turtle Creek station in a southerly direction to  
Baltimore at or near the farm of Samuel Steeves, in the parish  
of Hillsborough, in the county of Albert, in the province of  
New Brunswick:

(b.) from Baltimore siding, in the parish of Hillsborough,  
in a north-easterly direction to the city of Moncton, in the  
county of Westmoreland:

(c.) from Baltimore siding, in the parish of Hillsborough,  
in a south-westerly direction to a point at or near Walters's  
oil works in the parish of Hillsborough.

**2.** The Company may enter into an agreement to acquire Acquisition  
of other  
railways.  
and operate all or any part of the railways of the Harvey  
Branch Line Railway Company and the Alma and Harvey  
Railway Company, and also the capital stock, bonds, rights,  
franchises, powers, privileges and property, or any part there-  
of, of the said companies, in such manner and upon such terms  
and conditions as the directors deem expedient under the  
authority of the shareholders to them given at any special  
general meeting called for the purpose, at which meeting Approval of  
shareholders  
and Governor  
in Council.  
shareholders representing at least two-thirds in value of the  
subscribed stock of the Company are present or represented  
by proxy; provided however, 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 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.

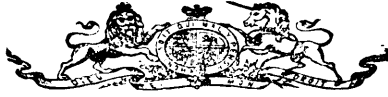
Exercise of powers of companies acquired.

1888, c. 29.

3. With respect to either of the railways so purchased, as well as all other rights, franchises, powers, privileges and property thereof acquired therewith, the Company may, in addition to all the rights, franchises, powers and privileges conferred upon the Company by *The Railway Act* and the special Acts relating to the Company, exercise all the rights, franchises, powers and privileges conferred upon the Harvey Branch Line Railway Company or the Alma and Harvey Railway Company, as the case may be, by any special Acts.

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# 63 - 64 VICTORIA.

## CHAP. 81.

### An Act respecting the Schomberg and Aurora Railway Company.

[Assented to 7th July, 1900.]

**W**HEREAS the Schomberg and Aurora Railway Company Preamble.  
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 Her Majesty, by and with the advice 1896 (1), c. 34.  
and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Schomberg and Aurora Railway Company, hereinafter called “the Company,” may lay out, construct and operate an extension of its railway, westward from a point in or near the village of Schomberg, in the county of York, through the townships of King, Tecumseth, Adjala, Mono, Amaranth and Melancthon, to a point in or near the village of Shelburne, in the county of Dufferin, thence through the townships of Melancthon, Proton, Artemesia or Egremont, and Glenelg to the town of Durham, in the county of Grey; also an extension eastward from the present eastern terminus of the Company’s railway, through the townships of King, Whitchurch, Markham or Uxbridge, Pickering, Whitby and East Whitby, to the town of Oshawa, in the county of Ontario. Extensions of railway authorized.

**2.** The Company may enter into an agreement with the Metropolitan Railway Company for conveying or leasing to that company the railway of the Company, in whole or in part, or 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 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.

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.

1896, c. 34.

3. All the provisions of the Act incorporating the Company shall apply to the extension hereby authorized.

Time for construction.

4. The Company shall, within twelve months after the passing of this Act, begin, and thereafter continue, the construction of the said railway, with such diligence and speed that there will be constructed and ready for traffic, on or before the first day of July, one thousand nine hundred and two, that part of the line of railway, authorized by the Company's Act of incorporation, commencing at a point on Yonge street, and extending to a point at or near the village of Schomberg, in the township of King; and if the said part of the line is not completed within such time, the powers granted for such construction shall cease and be null and void as respects so much thereof as then remains uncompleted; and, as to the rest of the lines of railway authorized to be constructed, the time for the completion thereof is extended for five years from the passing of this Act, and if it is not completed within such time the powers granted for such construction shall cease and become void as respects so much thereof as then remains uncompleted.

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## 63-64 VICTORIA.

### CHAP. 82.

#### An Act to incorporate the South Shore Line Railway Company.

[Assented to 18th July, 1900.]

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

**1.** Benjamin F. Pearson, of the city of Halifax, in the province of Nova Scotia, John Joseph Tucker, Hugh H. McLean, Matthew B. Edwards and Henry F. Puddington, of the city of St. John, in the province of New Brunswick, Russell Sage, Levi P. Morton, Elverton R. Chapman and Ezekiel C. M. Rand, of the city of New York, in the state of New York, one of the United States, together with such persons as become shareholders in the company, are incorporated under the name of “The South Shore Line Railway Company,” hereinafter called Incorporation. “the Company.” 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 Saint John, in the province of New Brunswick. Head office.

**5.** The annual meeting of the shareholders shall be held on the first 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, one or more of whom may be paid directors. Election of directors.

Power to  
acquire Shore  
Line Railway.

**7.** The Company may acquire and operate all or any part of the railway of the Shore Line Railway Company and also the capital stock, bonds, rights, franchises, powers, privileges and property thereof, or any part thereof, in such manner and upon such terms and conditions as the directors deem expedient under the authority of the shareholders given at any special general meeting duly called for the purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present or represented by proxy.

Power to  
connect with  
and acquire  
Washington  
County  
Railway.

**8.** The Company may connect the railway of the Shore Line Railway Company with the railway of the Washington County Railway Company, in the state of Maine, one of the United States, and may acquire and operate all or any part of the railway of the Washington County Railway Company, and also the capital stock, bonds, rights, franchises, powers, privileges and properties thereof, and may enter into an agreement for amalgamating or consolidating 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 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 Shore Line Railway 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.

Bond issue.

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

Telegraph  
and telephone  
lines.

**10.** 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.

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. Agreement with telegraph and telephone companies.

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. Rates to be approved.

4. *The Electric Telegraph Companies Act* shall apply to the telegraphic business of the Company. R.S.C., c. 132.

**11.** The Company may, in connection with its railway and for the purposes of its business,— Other powers of Company.

(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 ; Motive power.

(b.) acquire land 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 ; Docks, warehouses, etc.

(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 ; Patent rights.

(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 ; Surplus power.

(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. Water supply for Company's works.

**12.** 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. Expropriation of lands. 1888, c. 29.



Rights and obligations of companies amalgamated not affected.

**13.** Nothing in this Act 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 any railway company whose railway, rights and property are acquired by the Company, or against any company which may be amalgamated with the Company under the provisions of this Act, nor shall such company, by reason of this Act, be relieved from the payment of any debt or the performance of any obligation, contract or duty.

Liabilities under railway laws continued.

**14.** Nothing in this Act, or in any agreement under which the Company acquires the charter, privileges and franchises of any railway company, shall be held to relieve any such company from any of its duties or liabilities under the railway laws of Canada or under the laws of the province of New Brunswick.

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## 63-64 VICTORIA.]

### CHAP. 83.

#### An Act respecting the Thousand Islands Railway Company.

[Assented to 14th June, 1900.]

**W**HEREAS the Thousand Islands Railway Company has, Preamble.  
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 Her Majesty, by and with the advice and 1888, c. 75 ;  
consent of the Senate and House of Commons of Canada, 1896, c. 38.  
enacts as follows :—

**1.** The Thousand Islands Railway Company, hereinafter Powers.  
called “the Company,” may, in connection with its railway  
and for the purposes of its business,—

(a.) acquire lands and erect, use and manage works, manu- Electric and  
other motive  
power.  
facture machinery and plant for the generation, transmission  
and distribution of electric power and energy and other motive  
power ;

(b.) build and maintain power houses and stations for the Power houses.  
development of electrical force and energy and other motive  
power ;

(c.) along the line of its railway and contiguous thereto, Mining.  
locate, acquire, work and dispose of mines, mineral lands,  
minerals, mining rights, timber and timber lands and the  
products thereof, and develop such mines, and crush, smelt,  
reduce, amalgamate and dispose of the ores and products of  
any mine ;

(d.) acquire exclusive rights in letters patent, franchises or Patent rights.  
patent rights for the purpose of the works and undertakings  
hereby authorized, and again dispose of such rights ;

(e.) sell or lease any surplus power which the Company may Surplus  
power.  
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.

**Bond issue.** **2.** On that portion of its railway running from its present terminus on the river St. Lawrence at or near the town of Gananoque thence in a northerly direction for a distance not exceeding fifteen miles, the Company may, in lieu of the bonds authorized to be issued under the provisions of chapter 75 of the statutes of 1888, and subject to the provisions contained in section 3 of this Act, issue bonds to the extent of thirty thousand dollars per mile of such railway; but such bonds shall be issued only in proportion to the length of railway constructed or under contract to be constructed.

1888, c. 75.

**Existing bonds.**

**3.** No bonds shall be issued under the powers contained in section 2 of this Act until all outstanding bonds or mortgages of the Company, and all interest coupons and interest due or to fall due thereon, have been paid and discharged on such terms and conditions and in such manner as the directors of the Company and the holders of the said bonds or mortgages agree upon.

**Head office.**

**4.** Notwithstanding anything contained in the Acts relating to the Company, the head office of the Company shall be in the town of Deseronto, or in such other place in Canada 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 second Monday in September in each year.

**Time for construction of railway extended.**

**6.** The time limited for the completion of the railway, branches and extensions is extended for five years from the passing of this Act, and if the said railway, branches and extensions are not then completed the powers granted by Parliament for such construction shall cease and be null and void as respects so much of the undertaking as then remains uncompleted.

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## 63-64 VICTORIA.

### CHAP. 84.

#### An Act respecting the Timagami Railway Company.

[Assented to 7th July, 1900.]

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

**1.** The Act to incorporate the Timagami Railway Company, chapter 87 of the statutes of 1898, is revived and declared to be in force. 1898, c. 87 revived.

**2.** The times limited for the commencement and completion of the railway of the Timagami Railway Company are extended for two years and five years respectively, from the thirteenth day of June, one thousand nine hundred ; 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 five years from the said thirteenth day of June, one thousand nine hundred, 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. Time for construction extended.

**3.** Section 4 of chapter 87 of the statutes of 1898 is repealed, and the following section is substituted therefor :— 1898, c. 87, new s. 4.

**“4.** The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches, from a point at or near Verner station, or at or near Sturgeon Falls station, or between Sturgeon Falls station and Verner station on the Canadian Pacific Railway to a point on the southerly part of Lake Timagami in the township of Hobbs or due north thereof.” Line of railway described.





## 63-64 VICTORIA.

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### CHAP. 85.

#### An Act respecting the Western Alberta Railway Company.

[Assented to 14th June, 1900.]

**W**HEREAS the provisional directors of the Western Alberta 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The railway of the Company shall be commenced and fifteen per cent of the amount of the capital stock expended thereon before the first day of December, one thousand nine hundred and two, and shall be completed and put in operation before the first day of December, one thousand nine hundred and five, otherwise the powers for the construction thereof conferred upon the Company by chapter 90 of the statutes of 1898, c. 90. <sup>Extension of time for works.</sup> the railway as then remains uncompleted.

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## 63 - 64 VICTORIA.

### CHAP. 86.

#### An Act to incorporate the Acadia Loan Corporation.

[Assented to 7th July, 1900.]

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

**1.** William B. Ross, Alexander Stephen, John McInnes, Incorporation. Guy C. Hart, Alfred Whitman and John J. Stewart, of the city of Halifax, together with such persons as become shareholders in the company, are incorporated under the name of “The Acadia Loan Corporation,” hereinafter called “the Corporate name. Company.”

**2.** The persons named in section 1 of this Act, together Provisional directors. 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 only of the Company, and may do generally what is necessary to organize the Company.

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

**2.** As soon as not less than one hundred thousand dollars of Election of directors. the capital stock have been subscribed and not less than fifty thousand dollars of that amount paid into some chartered bank in Canada, the provisional directors may call a general meeting



of the shareholders at some place to be named in the city of Halifax, at which meeting shall be elected the board of directors of the Company, who shall hold office until their successors are appointed; and upon the election of such board the functions of the provisional directors shall cease.

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

**Currency of issue.** 4. 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-third cents per pound sterling.

**When business may be commenced.** 5. The Company shall not commence business until at least three hundred thousand dollars of the capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act; Provided that the Company shall not borrow nor lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so, and that no application for such certificate shall be made and no certificate shall be given until it has been shown to the satisfaction of the Minister of Finance that the foregoing provisions of this section have been complied with, and no such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided also, that, should such certificate not be duly made within the time limited or should such certificate be refused, this Act shall thereupon cease and become void except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

**Proviso.**

**Proviso.**

**Head office.** 6. The head office of the Company shall be at the city of Halifax, in the province of Nova Scotia, but the Company may establish branch offices and agencies elsewhere.

**Election of directors.** 7. At the first general meeting of the Company, and at each annual meeting, the holders of the capital stock present or represented by proxy shall choose not less than five nor more than twenty persons to be directors of the Company, a majority of whom shall be a quorum.

**Powers of directors.** 8. The directors may pay all expenses incurred in organizing and incorporating the Company, and may affix the seal of the Company, and may make or cause to be made for the Company any description of contract which the Company

may by law enter into, and may exercise all such powers of the Company as are not by this Act required to be exercised by the Company in general meeting, and amongst other things may, from time to time, exercise the following powers, the same being specifically referred to for greater certainty but not so as to restrict the generality of the foregoing terms of this section,—

(a.) issue debentures, bonds, deposit receipts and stock, and regulate the allotment of stock, the making of calls thereon, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of stock ;

Issue of debentures, receipts, etc.

(b.) declare and pay dividends ;

Dividends.

(c.) determine the remuneration of, and pay for services performed for the Company by, any director, if such services are not the regular and ordinary services of a director ; and determine the remuneration of all employees of the Company other than auditors ;

Remuneration of directors.

(d.) delegate any of their powers to committees consisting of such member or members of their body as they think fit, and any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on them by the directors ;

Delegation of powers.

(e.) conduct in all other particulars the affairs of the Company.

General conduct of affairs.

**9.** The directors may, from time to time, make such calls upon the members in respect of all moneys unpaid upon their respective shares as they think fit, but no call, except the first or allotment call, shall exceed the amount of ten per cent per share, and no calls, except the first call or the call made by the provisional directors, shall be payable less than one month after the date of the resolution of the directors making the same ; and a period of two months at least, shall intervene between the dates fixed for payment of two successive calls.

Calls on shares.

**10.** The directors may, if they think fit, receive from any member willing to advance the same, all or any part of the amount due on the shares held by such member beyond the sums then actually called for ; and upon the money so paid in advance, or so much thereof as from time to time exceeds the amount of the calls then made upon the shares of or in respect of which such advance is made, the Company may pay interest at such rate, not exceeding five per cent per annum as the member paying such sum in advance and the directors agree upon.

Payment on shares in advance of calls.

Interest thereon.

**11.** The directors may, from time to time, place the surplus moneys of the Company on deposit in any chartered bank doing business in Canada.

Deposit of funds.

Agency  
association.

**12.** The Company may act as an agency association for the interest and on behalf of others who intrust 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 or municipal or other authority, or any board or body or trustees or commissioners, upon such securities as are mentioned in *The Loan Companies Act, Canada, 1899*, and may purchase and acquire any securities on which it is authorized to advance money, and again re-sell the same.

1899, c. 41.

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 powers in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of  
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 the Company for investment.

Employment  
of capital.

**4.** The Company may, for every or any of the foregoing purposes lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company, in addition to its capital for the time being, or any moneys so intrusted 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 guar-  
anteed 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.

Moneys on  
deposit.

**13.** The Company may borrow money and receive money on deposit upon such terms as to interest, security, time of payment 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 upon its capital stock, but the amount of cash on hand, or deposited in chartered banks and belonging to the Company shall be deducted from such total liabilities for the purposes of this section. Provided also that the amount held on deposit shall not at any time exceed the aggregate amount of the Company's then actually paid-up and unimpaired capital, and of its cash actually on hand or deposited in any chartered bank in Canada, or elsewhere, and belonging to the Company.

Proviso.

Proviso.

Debenture  
register.

**14.** The Company shall keep a register of all debentures issued by the Company, in which shall be fairly and distinctly entered the amount of each such debenture, the time when and

the place where the same is payable, and the rate of interest payable thereon, and such other particulars as the directors from time to time deem necessary.

2. The debentures may be in the form of the schedule to this Act, or to the like effect. Form of debentures.

**15.** The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalizing dividends, or for repairing, improving and maintaining any of the property of the Company, and for such other purposes as the directors shall, in their absolute discretion, think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and that without being bound to keep the same separate from the other assets. Provided always that the investment of the reserve fund shall be subject to the limitations contained in section 20 of *The Loan Companies Act, Canada, 1899.* Reserve fund.

**16.** The appointment and removal of the auditors of the Company, and the determination as to the remuneration of directors and auditors, shall be exercised at general meetings of the Company, and the auditors shall not necessarily be shareholders; provided, that in the case of the death or failure to act of any such auditor, the directors may appoint an auditor in his place. Auditors.

**17.** Sections 7, 18, 38 and 39 of *The Companies Clauses Act* shall not apply to the Company. R.S.C., c. 118.

**18.** The following provisions of *The Loan Companies Act, Canada, 1899*, shall apply to the Company and be incorporated with and construed as a portion of this Act, namely:— 1899, c. 41.

Section 20, omitting therefrom all the words from the beginning thereof down to and including the word “patent” in the third line thereof and substituting therefor the words “The Acadia Loan Corporation shall”;

Sections 22 and 25;

Section 26, omitting therefrom the words “section 21 hereof” in the tenth line thereof and substituting therefor the words “section 18 of the Act passed in the session held in the sixty-third and sixty-fourth years of Her Majesty’s reign intituled: *An Act to incorporate the Acadia Loan Corporation*”;

Sections 27, 29, 30, 31, 32, 33, 34, 35, 36, 38, 42, 43, 44 and 45.

Construction  
of 1899, c. 41.

19. Wherever in the sections of *The Loan Companies Act, Canada, 1899*, referred to in this Act, the expression "a company," "any company" or "any company subject to the provisions of this Act" occurs, such expression shall be construed to mean "the Company."

### SCHEDULE.

#### THE ACADIA LOAN CORPORATION.

Debenture No. \_\_\_\_\_ Transferable. \$ \_\_\_\_\_

Under the authority of an Act of the Parliament of Canada, 63-64 Victoria, chapter \_\_\_\_\_ The Acadia Loan Corporation promises to pay to \_\_\_\_\_ or bearer, the sum of \_\_\_\_\_ dollars on the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord, One thousand nine hundred, at the \_\_\_\_\_ with interest at the rate of \_\_\_\_\_ per cent per annum, to be paid half-yearly on presentation of the proper coupon for the same as hereunto annexed, say on the \_\_\_\_\_ day of \_\_\_\_\_ and the \_\_\_\_\_ day of \_\_\_\_\_ in each year, at the office of the \_\_\_\_\_.

Executed and dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_.

The Acadia Loan Corporation.

C. D.,  
*Manager.*

A. B.,  
*President.*

#### COUPON.

No. \_\_\_\_\_ \$ \_\_\_\_\_  
Half-yearly dividend due \_\_\_\_\_ day of \_\_\_\_\_  
one thousand nine hundred, on debenture No. \_\_\_\_\_  
issued by this Company on the \_\_\_\_\_ day of \_\_\_\_\_  
one thousand nine hundred, for \$ \_\_\_\_\_ at \_\_\_\_\_  
per cent per annum, payable at the office of the \_\_\_\_\_

C. D.,  
*Manager.*

A. B.,  
*President.*

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## 63 - 64 VICTORIA.

### CHAP. 87.

#### An Act to incorporate the Accident and Guarantee Company of Canada.

[Assented to 7th July, 1900.]

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

**1.** William Duncan McLaren, John B. Clarkson, John Incorporation.  
Hobart Forbes, Hugh Gilzean Reid, and Herbert Henry Pick,  
all of the city and district of Montreal, together with such  
persons as become shareholders in the company, are incor-  
porated under the name of "The Accident and Guarantee Corporate  
Company of Canada," hereinafter called "the Company." name.

**2.** The persons named in section 1 of this Act are con- Provisional  
stituted provisional directors of the Company, a majority directors.  
of whom shall be a quorum, and they may forthwith open stock-  
books, procure subscriptions of stock for the undertaking,  
make calls on stock subscribed 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.

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

**2.** The directors may, after the whole capital stock has been Increase of  
subscribed and fifty per cent paid thereon in cash, increase capital.  
the capital stock, from time to time, to an amount not exceed-  
ing two million dollars ; but the stock shall not be increased  
until a resolution of the board of directors authorizing such  
increase has been submitted to and confirmed by two-thirds  
in

in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose.

Head office. **4.** The head office of the Company shall be in the city of Montreal, in the province of Quebec, but branches, sub-boards or agencies may be established and maintained, either within Canada or elsewhere, in such manner as the directors from time to time determine.

Branches.  
First general meeting. **5.** As soon as one hundred thousand 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 some place to be named in the said city of Montreal, giving at least ten days' notice of such meeting by registered letter sent postpaid to the last known address of each shareholder.

Election of directors. **2.** At such meeting and at each annual 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 directors, which shall consist of not less than seven nor more than twenty 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 twenty shares of the capital stock of the Company and has paid all calls due thereon and all liabilities incurred by him to the Company.

Number of shares held to be limited. **6.** The largest amount of stock which any person shall hold in the Company, at any one time, shall be two hundred shares; provided that the directors may at any time, by by-law, provide that any person may hold such greater number of shares of the capital stock as is provided in such by-law; but such by-law shall have no effect until it has been submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose.

Calls. **7.** The shares of the capital stock subscribed for shall be paid as follows: ten per cent on subscription, ten per cent on the allotment of the stock and the balance by such calls or instalments and at such times and places as the directors appoint, the first of which calls or instalments shall not exceed twenty per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of the calling of any subsequent instalment shall be given, and such notice shall be given by registered letter mailed postpaid to the last known address of each shareholder.

Accident insurance. **8.** The Company may make contracts of insurance with any person against any accident or casualty of whatsoever nature

or from whatsoever cause arising to individuals, whereby the insured may suffer loss or injury or be disabled, including sickness not ending in death, or in case of death from any accident or casualty, not including sickness, securing to the representative of the person insured, the payment of a certain sum of money, upon such terms and conditions as are agreed upon; and in like manner may also make contracts of indemnity with any person against claims or demands of the workmen and employees of such person, or of the legal representatives of such workmen and employees, with respect to accidents or casualties of whatsoever nature and from whatever cause arising, whereby the insured suffers or may suffer pecuniary loss, or incurs or may incur costs and expenses.

2. The Company may also—

Guarantee insurance.

(a.) guarantee the fidelity of persons filling or about to fill situations of trust or confidence, and the due performance and discharge by such persons of all or any of the duties and obligations imposed on them by contract or otherwise;

(b.) guarantee the due performance and discharge by receivers, official and other liquidators, committees, guardians, executors, administrators, trustees, attorneys, brokers and agents, of their respective duties and obligations;

(c.) guarantee persons filling or about to fill situations of trust or confidence against liabilities in connection therewith, and in particular against liability resulting from the misconduct of any co-trustee, co-agent, sub-agent or other person.

3. The Company may also cause itself to be insured against any risk it may have undertaken in the course of its business. Re-insurance.

4. The Company shall not engage in the business of accident insurance, including sickness, until at least forty thousand dollars of capital stock shall have been paid into the funds of the Company to be appropriated only for the purposes of the Company under this Act; and the Company shall not commence the business of guarantee insurance until its subscribed capital has been increased to at least two hundred thousand dollars and an additional amount of fifty thousand dollars shall have been paid thereon into the funds of the Company under this Act; provided that the amount so paid in by any shareholder shall not be less than ten per cent upon the amount subscribed by such shareholder. When business may be commenced.

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.

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



Real property. **11.** The Company may acquire and hold such real property as in the discretion of the directors is required for the use and accommodation of the Company and for the carrying out of the purposes for which the Company is incorporated, and may sell or mortgage the same; but the annual value thereof in any province of Canada shall not exceed two thousand dollars, except in the province of Quebec where it shall not exceed five thousand dollars.

R.S.C., c. 118. **12.** Notwithstanding anything contained therein, *The Companies Clauses Act*, except sections 7, 18 and 39 thereof, shall apply to the Company in so far as it is not inconsistent with *The Insurance Act* or with any of the provisions contained in this Act.

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most Excellent Majesty.



## 63 - 64 VICTORIA.

### CHAP. 88.

An Act to confer on the Commissioner of Patents certain powers for the relief of J. W. Anderson.

[Assented to 18th July, 1900.]

**W**HEREAS James William Anderson, having his chief Preamble.  
place of business at the town of Aylmer, in the pro-

vince of Ontario, has, by his petition, represented that on and prior to the ninth day of September, one thousand eight hundred and ninety-nine, he was the holder of letters patent under the seal of the Patent Office, dated the ninth day of September, one thousand eight hundred and eighty-nine, for improvements in force pumps, being patent number thirty-two thousand two hundred and thirty-four; that on or before the expiration of the first ten years 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, five years' fee being paid at the time of issue and five years' fee being paid on the eighth day of September, one thousand eight hundred and ninety-four, the said Anderson was entitled, upon application therefor, to a certificate of payment of the additional fee provided for 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; and whereas the said Anderson and others had, prior to the said ninth day of September, one thousand eight hundred and ninety-nine, spent time and money advertising and manufacturing the article covered by the said letters patent, that the said Anderson inadvertently omitted to make such application before the ninth day of September, one thousand eight hundred and ninety-nine, and was advised that his application could not be granted after such omission; and whereas the said Anderson has, by his petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; and whereas it is also expedient to preserve unimpaired all rights and interests of the said Anderson under or by virtue of a certain indenture of agreement made the first day of March, one thousand eight hundred and ninety-four, between the firm of L. L. Sheldon

R.S.C., c. 61,  
s. 22 ;  
1892, c. 24,  
s. 5 ;  
1893, c. 34,  
s. 3.

and Company, of the town of Aylmer, Ontario, and the said Anderson: Therefore Her 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 letters patent mentioned in the preamble, the Commissioner of Patents may receive from James William Anderson the application for a certificate of payment and the usual fees upon the said letters patent for the remainder of the term of fifteen years from the date thereof, and may grant and issue to the said James William Anderson the certificate of payment of fees provided for by *The Patent Act*, and an extension of the period of duration of the said letters patent to the full term of fifteen years, in as full and ample a manner as if application therefor had been duly made within ten years from the date of the issue of the said letters patent.

Rights of  
third persons  
saved.

**2.** Any person who has, within the period between the ninth day of September, one thousand eight hundred and ninety-nine, and the fifth day of July, one thousand nine hundred, acquired by assignment, user, manufacture or otherwise, any interest or right in respect of such improvements or invention, shall continue to enjoy it as if this Act had not been passed; but nothing in this section shall authorize the firm of L. L. Sheldon and Company, of the town of Aylmer, Ontario, either on their own behalf or through the agency of any such person as aforesaid, to manufacture or to deal in or with the invention in respect of which the said letters patent were granted, except in accordance with the provisions of a certain indenture of agreement made the first day of March, 1894, between the said firm and the said James William Anderson.

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## 63-64 VICTORIA.

### CHAP. 89.

#### An Act to incorporate the British America Pulp Paper and Railway Company.

[Assented to 18th July, 1900.]

**W**HEREAS 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

**1.** Alfred A. Thibaudeau, William Strachan, Raymond Préfontaine, Robert Bickerdike, Duncan Alexander McCaskill, William Mitchell, Henri B. Rainville, Herbert E. Smith, Joseph Hercules Lefebvre, all of Montreal; Paul Vilmond Savard, of Chicoutimi; Jules Tessier, of Quebec; together with such persons as become shareholders in the company, are hereby incorporated under the name of "The British America Pulp Paper and Railway Company," hereinafter called "the Company."

Incorporation.

Corporate name.

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

Provisional directors.

**3.** The capital stock of the Company shall be two million five hundred thousand dollars in 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.** So soon as ten per cent of the capital stock has been subscribed and fifty per cent has been paid up on the stock so subscribed and has been deposited in some chartered bank in Canada to the credit of the Company, the provisional directors, or any three of them, may call a general meeting of the shareholders of the Company to be held at the city of Montreal, at such time as they determine, for the purpose of passing or ratifying the by-laws of the Company, of

First general meeting.

Business thereat.

- electing directors, and of considering and determining any other business specified in the notice calling such meeting; and notice in writing, signed by the provisional directors calling such meeting, of the date and place of holding the same, mailed by registered letter to the address of each shareholder not less than ten days previously, shall be deemed sufficient notice of such meeting.
- Notice.**
- Increase of capital.** 2. The directors of the Company may, at any time after the whole capital stock of the Company has been taken up and fifty per cent thereon paid in, make a by-law for increasing the capital stock of the Company to any amount which they consider requisite for the due carrying out of the objects of the Company.
- By-law for such purpose.** 3. Such by-law shall declare the number of the shares of the new stock, and may prescribe the manner in which the same shall be allotted; and in default of its so doing, the control of such allotment shall vest absolutely in the directors.
- Head office.** 5. The head office of the Company shall be in the city of Montreal, in the province of Quebec.
- Annual general meeting.** 6. The annual general meeting of the shareholders shall be held on the first Tuesday in September in each year.
- Directors.** 7. 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 a majority of whom shall form a quorum.
- Business and powers.** 8. The Company may carry on, throughout Canada and elsewhere, the business in all its branches of manufacturing pulp wood, pulp and paper and all other business incident thereto, including the manufacture of timber, lumber and all articles of which wood forms a component part, and all products from wood or wood material, and also the business of wharfingers, shippers and vessel owners; and may, for such purposes, acquire licenses to cut timber, timber limits, timber lands, buildings, wharfs, docks, dams, piers, mills, mill sites, water power, works, boats, vessels, vehicles, goods, wares or merchandise, and other property, real and personal, movable and immovable; and may, for such purposes, construct, operate, improve, extend, manage, develop, lease, mortgage, dispose of, or otherwise deal in and with the same; and may, for such purposes, establish shops or stores on the said lands; and may, for such purposes, buy and sell goods and general merchandise, and carry on farming and stock raising; and generally may do all such other things as are incidental or conducive to the attainment of the above objects.
- Powers.** 9. The Company may, for the purposes of its undertakings,—
- Pulp and paper mills.** (a.) establish and operate pulp and paper mills at the falls of the Grand Peribonka, Mistassini and Chamouchouan Rivers,

in the Lake St John district, and at La Tuque Falls, on the St. Maurice River, in the province of Quebec, as well as at other points in Canada ;

(b.) construct, acquire and operate wharfs, piers, docks, landing places, hotels or boarding houses, elevators and warehouses, and construct, charter, acquire and navigate steam and other vessels for the transportation of passengers and freight, in connection with the railway hereinafter described in section 10, upon the waters of the rivers, lakes and streams adjacent to the said railway ;

Wharfs,  
buildings  
and vessels.

(c.) with the consent and approval of the Governor in Council first had and obtained, take and use water for generating electricity and other purposes, and 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 the railway hereinafter described in section 10, vessels, mills, manufactories and other works, and may dispose of any surplus of electricity or other power generated by its works and not required for operating its mills, railway or other works.

Electricity,  
water and  
steam power.

**10.** The Company may lay out, construct and operate an electric railway, of the gauge of three feet, or such other gauge as may be adopted, not less than three feet and not more than four feet eight and one-half inches, from a point at or near St. Alphonse, on Ha! Ha! Bay, Saguenay River, thence to the Petite Décharge on the Saguenay River, with a branch line to a point at or near St. Gédéon or St. Bruno, on the Quebec and Lake St. John Railway, thence to the Grand Falls on the Peribonka River, thence to the first falls on the Mistassini River, thence to the Chutes à L'Ours (Bear's Falls) on the Chamouchouan River, with branch lines to Roberval and La Tuque Falls, on the St. Maurice River, the general course of the line to be a little to the west of south, from Chamouchouan River to Lake Pabeloguang ; and may, with the consent and approval of the Governor in Council, construct and operate branch lines not exceeding ten miles in length in any one case, to connect the mills and other properties owned or leased by it under the powers conferred by this Act.

Electrical  
railway and  
branches.

**11.** Nothing in this Act contained shall be construed as enabling the Company to acquire real estate beyond what is necessary for the carrying on of its business as aforesaid.

Limitation  
as to real  
estate.

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

Issue of  
bonds.

1888, c. 29.

**13.** *The Railway Act* shall apply to the Company and its undertaking, so far as relates to the said railway.

R.S.C., c. 118.

**14.** Section 39 of *The Companies Clauses Act* shall not apply to the Company.

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## 63-64 VICTORIA.

### CHAP. 90.

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

[Assented to 7th May, 1900.]

**W**HEREAS the Canada and Michigan Bridge and Tunnel Preamble.  
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 Her Majesty, by and  
with the advice and consent of the Senate and House of Com-  
mons of Canada, enacts as follows:—

**1.** The times limited for the commencement and completion Time  
of the works of the Canada and Michigan Bridge and Tunnel extended.  
Company are extended for two years and five years respec-  
tively from the passing of this Act, and if the said works  
are not so commenced and completed the powers granted by  
the Acts relating to the said Company and by this Act shall  
cease and be null and void.

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most Excellent Majesty.







## 63 - 64 VICTORIA.

### CHAP. 91.

An Act respecting the Canada Southern Bridge Company.

[Assented to 7th May, 1900.]

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

**1.** Section 2 of chapter 63 of the statutes of 1877 is re-1877, c. 63,  
s. 2 repealed.  
pealed, and the power of the Canada Southern Bridge Company to construct, maintain, work and manage a railway Power to  
construct  
bridge over  
Detroit river.  
bridge across the Detroit River for railway purposes, from some point in or near the town of Amherstburg, in the county of Essex, towards the island of Grosse Isle, in the state of Michigan, in the United States, is revived, confirmed and authorized.

**2.** The times limited by the Acts respecting the said Com-Time for  
completion  
of works  
extended.  
pany for the completion of its undertaking are extended as follows: The works authorized by the Acts relating to the said Company shall be completed within five years from the passing of this Act, otherwise the powers granted to the said Company by the said Acts shall cease and be null and void as respects so much of the said works as then remains uncompleted.

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## 63-64 VICTORIA.

### CHAP. 92.

#### An Act respecting the Canada Mining and Metallurgical Company (Limited).

[Assented to 7th July, 1900.]

**WHEREAS** the Canada Mining and Metallurgical 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 Her 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 100 of the statutes of 1899 is repealed, and the following is substituted therefor:—

1899, c. 100,  
s. 3 repealed.

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

Capital stock.

“2. The Company may, after the whole capital stock has been subscribed and fifty per cent paid thereon in cash, increase the capital stock, from time to time, to an amount not exceeding ten million dollars, by a resolution of the shareholders, passed and approved of by the votes of the holders of at least two-thirds in 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 it, and such increased capital stock may be issued and shall be held subject to the same conditions, and be dealt with in the same manner, as the original capital of the Company.”

Increase of  
capital.

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# 63-64 VICTORIA.

## CHAP. 93.

### An Act to incorporate the Canadian Bankers' Association.

[Assented to 7th July, 1900.]

**W**HEREAS the voluntary association now existing under Preamble.  
the name of the Canadian Bankers' Association has, by its petition, prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** There is hereby created and constituted a corporation Incorporation.  
under the name of "The Canadian Bankers' Association," hereinafter called "the Association."

**2.** The Association shall consist of members and associates; Association, how composed.  
(a.) The members, hereinafter referred to as members, shall be the banks named in the schedule to this Act, and such new banks hereafter incorporated by or under the authority of the Parliament of Canada as become entitled to carry on the business of banking in Canada, and to which *The Bank Act* in force at the time of its incorporation applies. Any bank to which *The Bank Act* applies, carrying on business in Canada, and not named in the schedule to this Act, shall on its own application at any time be admitted as a member of the Association by resolution of the Executive Council hereinafter named; Members.

(b.) The associates, hereinafter referred to as associates, shall be the bank officers who are associates of the voluntary association mentioned in the preamble at the time this Act is passed, and such other officers of the banks which are members of the Association as may be elected at a meeting of the executive council hereinafter named or at an annual meeting of the Association. An associate may at any time by written notice to the president of the Association withdraw from the Association. Associates.

**3.** Upon the suspension of payment of a bank being a member of the Association, such bank shall cease to be a member. Effect of bank suspending.

member. Provided however, that if and when such bank resumes the carrying on of its business in Canada it may again become a member of the Association.

When  
associate  
ceases to be  
such.

4. Upon an associate ceasing to be an officer of a bank carrying on business in Canada, he shall, at the end of the then current calendar year, cease to be an associate.

Objects of  
Association.

5. The objects and powers of the Association shall be, to promote generally the interests and efficiency of banks and bank officers and the education and training of those contemplating employment in banks, and for such purposes, among other means, to arrange for lectures, discussions, competitive papers and examinations on commercial law and banking, and to acquire, publish and carry on the "Journal of The Canadian Bankers' Association."

Subsections of  
Association.

6. The Association may from time to time establish in any place in Canada a subsection of the Association under such constitution and with such powers (not exceeding the powers of the Association) as may be thought best.

Clearing  
houses.

7. The Association may from time to time establish in any place in Canada a clearing house for banks, and make rules and regulations for the operations of such clearing house: Provided always, that no bank shall be or become a member of such clearing house except with its own consent, and a bank may after becoming such member at any time withdraw therefrom.

Regulations.

2. All banks, whether members of the Association or not, shall have an equal voice in making from time to time the rules and regulations for the clearing house; but no such rule or regulation shall have any force or effect until approved of by the Treasury Board.

Voting  
powers.

8. Members of the Association shall vote and act in all matters relating to the Association through their chief executive officers. For the purposes of this Act the chief executive officer of a member shall be its general manager or cashier, or in his absence the officer designated for the purpose by him, or in default of such designation the officer next in authority. Where the president or vice-president of a member performs the duties of a general manager or cashier he shall be the chief executive officer, and in his absence the officer designated for the purpose by him, and in default of such designation the officer next in authority to him. At all meetings of the Association each member shall have one vote upon each matter submitted for vote. The chairman shall, in addition to any vote he may have as chief executive officer or proxy, have a casting vote in case of a tie. Associates shall have only such powers of voting and otherwise taking part at meetings as may be provided by by-law.

**9.** There shall be a president and one or more vice-presidents and an executive council of the Association, of which council five shall form a quorum unless the by-laws otherwise provide. Officers.

**10.** The persons who are the president, vice-presidents and executive council of the voluntary association mentioned in the preamble at the time this Act is passed shall be the president, vice-presidents and executive council respectively of the Association until the first general meeting of the Association or until their successors are appointed. Officers of existing association continued.

**11.** The first general meeting of the Association shall be held during the present calendar year at such time and place and upon such notice as the executive council may decide. Subsequent general meetings shall be held as the by-laws of the Association may provide at least once in each calendar year. General meetings.

**12.** At the first general meeting and at each annual meeting thereafter the members of the Association shall elect a president, one or more vice-presidents and an executive council, all of whom shall hold office until the next annual general meeting or until their successors are appointed. Election of officers.

**13.** The president, vice-presidents and executive council shall be chosen from among the chief executive officers of members of the Association. Executive officers.

**14.** Unless the by-laws otherwise provide, the executive council shall consist of the president and vice-presidents of the Association and fourteen chief executive officers, and five shall form a quorum for the transaction of business. Executive council.

**15.** Each member and associate shall from time to time pay to the Association for the purposes thereof such dues and assessments as shall from time to time be fixed in that behalf by the Association at any annual meeting, or at any special meeting called for the purpose, by a vote of not less than two-thirds of those present or represented by proxy. Dues.

**16.** The objects and powers of the Association shall be carried out and exercised by the executive council, or under by-laws, resolutions, rules and regulations passed by it, but every such by-law, rule and regulation, unless in the meantime confirmed at a general meeting of the Association 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 executive council may be repealed, amended, varied or otherwise dealt with by the Association at any annual general meeting or at a special general meeting called for the purpose. By-laws governing Association.



Power of executive to pass by-laws.

2. For greater certainty, but not so as to restrict the generality of the foregoing, it is declared that the executive council shall have power to pass by-laws, resolutions, rules and regulations, not contrary to law or to the provisions of this Act, respecting—

(a.) lectures, discussions, competitive papers, examinations ;

(b.) the journal of the Association ;

(c.) the subsections of the Association ;

(d.) clearing houses for banks ;

(e.) general meetings, special and annual, of the Association and of the executive council, and the procedure and quorum thereat, including the part to be taken by associates and their powers of voting ;

(f.) voting by proxy at meetings of the Association and of the executive council ;

(g.) the appointment, functions, duties, remuneration and removal of officers, agents and servants of the Association.

Approval of Treasury Board.

3. No by-law, resolution, rule or regulation respecting clearing houses, and no repeal, amendment, or variation of or other dealing with any such by-law, resolution, rule or regulation shall have any force or effect until approved of by the Treasury Board.

R.S.C., c. 118. **17.** The provisions of *The Companies Clauses Act*, being chapter 118 of the Revised Statutes, shall not apply to the Association.

## SCHEDULE.

### BANKS BEING MEMBERS OF THE ASSOCIATION.

The Bank of Montreal.  
 The Quebec Bank.  
 The Molsons Bank.  
 The Bank of Toronto.  
 The Ontario Bank.  
 The Eastern Townships Bank.  
 La Banque Nationale.  
 La Banque Jacques Cartier.  
 The Merchants' Bank of Canada.  
 The Union Bank of Canada.  
 The Canadian Bank of Commerce.  
 The Dominion Bank.  
 The Merchants' Bank of Halifax.  
 The Bank of Yarmouth, Nova Scotia.  
 The Standard Bank of Canada.  
 The Bank of Hamilton.  
 The Halifax Banking Company.  
 La Banque d'Hochelaga.  
 The Imperial Bank of Canada.  
 La Banque de St. Hyacinthe.

The Bank of Ottawa.  
The Bank of New Brunswick.  
The Exchange Bank of Yarmouth.  
The Union Bank of Halifax.  
The People's Bank of Halifax.  
La Banque de St. Jean.  
The Commercial Bank of Windsor.  
The Western Bank of Canada.  
The Traders' Bank of Canada.  
The People's Bank of New Brunswick.  
The Saint Stephen's Bank.  
The Summerside Bank.  
The Bank of British North America.  
The Bank of British Columbia.

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most Excellent Majesty.





## 63-64 VICTORIA.

### CHAP. 94.

#### An Act to incorporate the Canadian Steel Company.

[Assented to 7th May, 1900.]

**W**HEREAS 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.

**1.** Edward M. Butz, of the city of Pittsburg, in the state of Pennsylvania, one of the United States ; John H. Hardebeck, of Kankakee, in the state of Illinois, one of the United States ; E. A. C. Pew, of Welland, in the province of Ontario, and Francis E. Hinckley, of the city of New York, in the said state of New York, together with such persons as become shareholders in the company, are hereby incorporated under the name of the "Canadian Steel Company," hereinafter called "the Company."

Incorporation.

Corporate name.

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

Subscription of stock.

**3.** 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 may, by by-law, from time to time determine.

Head office.

**4.** The capital stock of the Company shall be eighteen million dollars divided into shares of one hundred dollars each, of which forty thousand may be issued as preference shares and one hundred and forty thousand as ordinary shares, and, except as otherwise provided in this Act, every share in the Company shall be deemed to have been issued and to be held subject to the payment of the whole amount thereof in cash.

Capital.

## Preference shares.

The preference shares 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 cumulative preferential dividends at the rate of seven 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 times or mode of application and distribution of profits, or as to the setting aside of profits for a reserve fund and depreciation accounts.

## 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, 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.

## Notice.

## Directors.

6. At the first general meeting of the Company, and at each annual meeting thereafter, the subscribers for 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, the majority of whom shall be a quorum, and one or more of whom may be paid directors.

## Powers.

7. The Company may,—

(a.) acquire and operate mines, mineral and mining rights;

(b.) smelt, reduce, refine, amalgamate, and otherwise manufacture and treat metals, minerals and ores, and dispose thereof, and generally carry on the business of manufacturing therefrom;

(c.) erect and operate blast furnaces, bessemer and open hearth steel plants, rolling mills, foundries, bridge construction and machine shops;

(d.) carry on the business of engineers and contractors for the manufacture and building 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 generally.

2. And, so far as is necessary for the purposes of the Company, the Company may also—

(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;

(b.) construct, operate and dispose of, tramways, telegraph and telephone lines, water powers, piers, wharfs, smelting works, refineries and other factories;

(c.) construct, acquire and navigate 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;

(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.

**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 the Parliament of Canada. Power to construct and operate 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 this purpose may mortgage, pledge, hypothecate or charge the assets and property of the Company. Borrowing powers.

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. Limitation of amount.

**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. Grants and bonuses.

**11.** The Company may enter into an agreement with the Hamilton and Lake Erie Power Company, or any other power company, to obtain its supply of electric power from such company, and may, with the consent of a majority of the shareholders present at a special general meeting called for that purpose, or at an 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, purchase the Agreements to obtain electric power.

the stock of or guarantee the interest on the bonds of such company to the amount agreed upon to be annually or semi-annually paid for the supply of such electrical power.

Act to expire  
by non-user.

**12.** This Act shall expire and the charter hereby granted shall cease to be in force by non-user for three consecutive years, or if the Company does not go into actual operation within the term of three years from the passing of this Act.

R.S.C., c. 118.

**13.** Sections 9, 18 and 39 of *The Companies Clauses Act* shall not apply to the Company.

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## 63-64 VICTORIA.

### CHAP. 95.

#### An Act to incorporate the Colonial Investment and Loan Company.

[Assented to 14th June, 1900.]

**WHEREAS** the Canadian Mutual Loan and Investment Company has, by its petition, represented that it was incorporated under the provisions of chapter 169 of the Revised Statutes of Ontario, 1887, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

R.S.O., 1887,  
c. 169.

**1.** The shareholders of the said the Canadian Mutual Loan and Investment Company, hereinafter called "the old Company," together with such persons as become shareholders of the new company, are incorporated under the name of "The Colonial Investment and Loan Company," hereinafter called "the Company."

Incorporation.

Corporate name.

**2.** The present directors of the old Company shall be the directors of the Company until their successors are elected.

Directors.

**3.** The capital stock of the Company shall be four million dollars, of which one million dollars shall be permanent capital stock, and three million dollars shall be terminating stock, divided as hereinafter described.

Capital stock.

**4.** The permanent capital stock of the Company shall be divided into one hundred thousand shares of ten dollars each, and shall be issued as follows:—

Permanent capital stock.

(a) Ninety thousand shares of permanent preference stock, which shall be entitled to such cumulative 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 permanent stock of the Company, but the said permanent preference stock shall not

Preference stock.



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;

Ordinary stock.

(b.) Ten thousand shares of ordinary permanent stock.

Terminating stock.

5. The terminating stock of the Company shall be divided into thirty thousand shares of the maturity value of one hundred dollars each.

Dividends.

2. Terminating stock shall be entitled to such dividends as shall be declared from time to time by the directors out of the net earnings of the Company before any dividends are paid upon the ordinary permanent stock of the Company; but such dividends shall not be less than the dividends on the permanent preference shares or on the ordinary shares, whichever may be higher: Provided that such terminating stock shall be issued only to the present holders of terminating stock in the old Company as hereinafter provided for, and upon the maturity, withdrawal or cancellation of such issue, or any part thereof, no further or other issue of terminating stock shall be made in lieu thereof.

Shares in the old Company converted.

6. The permanent preference stock mentioned in paragraph (a) of section 4 of this Act, and the terminating stock referred to in section 5 of this Act, shall be entitled to repayment of capital, in the event of liquidation, in priority to holders of ordinary permanent stock.

Rights of shareholders in old Company.

7. The shareholders of the old Company holding shares of terminating stock therein are declared to be the holders respectively of shares of the terminating stock of the Company to the same extent and with the same amount paid up thereon as they are holders respectively of such shares in the old Company.

2. Any holder of such terminating stock shall, at any time after the passing of this Act, have the right to convert such stock into permanent preference stock of the new Company, and the new Company shall allow for such terminating stock its full value, with accrued profits to the date of conversion of such stock.

3. Should any such terminating stock be retired by the Company, the Company shall allow the holders thereof the full value thereof with accrued profits to the date of such retirement.

Head office.

8. The head office of the Company shall be in the city of Toronto, in the province of Ontario, or in such other place in Canada as the directors from time to time determine by a by-law confirmed at any annual or special general meeting of the Company duly called for the purpose of considering such by-law.

**9.** The affairs of the Company shall be managed by a Directors. board of five directors, of whom two shall be elected by the preference permanent shareholders and three by the ordinary and terminating shareholders, and a majority of whom shall form a quorum.

**10.** The Company may acquire all the assets, rights, Acquisition of old Company's assets. credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to the old Company, or to which it is or may be or become entitled, and a conveyance and assignment thereof in the form of the Form of conveyance. schedule to this Act, or to the like effect, shall be sufficient.

**11.** The Company shall be liable for and subject to and shall pay, discharge, carry out and perform all the debts, liabilities, obligations, contracts and duties of the old Company, and any person having any claim, demand, right, cause of action or complaint against the old Company, or to whom the old Company is under any liability, obligation, contract or duty, shall have the same rights and powers with respect thereto and to the collection and enforcement thereof from and against the Company, its directors and shareholders, as such person has against the old Company, its directors and shareholders.

**12.** Nothing in this Act 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 old Company or its directors or shareholders or shall relieve the old Company its directors or shareholders from the performance of any debt, liability, obligation, contract or duty. Existing rights preserved.

**13.** The Company may, in addition to its powers under section 20 of *The Loan Companies Act, Canada, 1899*, subject to any limitation or prohibition imposed by its by-laws, lend upon its terminating stock, but no such loan shall exceed eighty per cent of the then value of the stock. Investment powers. 1899, c. 41.

**14.** 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, or to any body corporate, or to any municipal or other authority, or to any board or body of trustees or commissioners, upon such securities as are mentioned in *The Loan Companies Act, Canada, 1899*, and in the next preceding section of this Act, and upon such terms as to the Company appear satisfactory, and may purchase and acquire any securities on which they are authorized to advance money, and again re-sell the same. Agency association. 1899, c. 41.

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 purchases and re-sales 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 it 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.

Moneys  
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.

**15.** The Company may borrow money, and receive money on deposit, upon such terms as to interest, security and otherwise as may be agreed upon, and may issue its bonds, debentures and other securities for moneys borrowed; provided always that the total of the Company's liabilities to the public outstanding from time to time shall not exceed the amount paid upon its fixed and permanent capital stock until the terminating shares of the Company to the extent of ninety per cent of the value of such terminating shares have been retired or converted or otherwise cancelled, and after that date shall not exceed four times the amount paid upon its fixed and permanent 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 fixed and permanent capital and of its cash actually in hand or deposited in any chartered bank in Canada, and belonging to the Company.

Limitations.

Liabilities  
assumed.

**16.** The liabilities of the old Company assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of the last preceding section, but the amount of cash on hand or deposited in chartered banks and belonging to the Company shall be deducted from such total liabilities for the purposes of the said section.

Increase of  
capital.

**17.** The directors by unanimous vote at any time after the whole of the fixed and permanent capital stock of the Company

has been subscribed and ninety per cent thereof paid up, but not sooner, may, from time to time, by by-law, provide for the increase of such fixed and permanent capital stock to any amount which they consider requisite, but no class of stock shall be so increased without the consent of two-thirds of the stockholders in such class, and any new shares shall, on such increase, be allotted to the holders of the class of stock so increased.

**18.** No by-law for increasing such capital stock shall have any force or effect unless and until it has been sanctioned by the vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for the purpose of considering such by-law, such shareholders holding not less than two-thirds of the amount paid up on such capital stock represented at such meeting, and provided that neither class of such stock shall be so increased without the consent of two-thirds of the stockholders in such class, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance given under the authority of the Treasury Board.

Limitation of  
increase of  
capital.

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

Condition of  
such increase.

**20.** The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies, or for repairing, improving and maintaining, any of the property of the Company, and for such other purposes as the directors shall, in their absolute discretion, think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with full power to employ the assets constituting the reserve fund in the business of the Company, and that without being bound to keep the same separate from the other assets. Provided always that the investment of the reserve fund shall be subject to the limitations contained in section 14 of this Act and in section 20 of *The Loan Companies Act*, 1899, c. 41. *Canada*, 1899.

Reserve fund.

Powers of directors.

**21.** The business of the Company shall be managed by the directors, who may pay all expenses incurred in organizing and incorporating the Company, and may affix the seal of the Company, and may make or cause to be made for the Company any description of contract which the Company may by law enter into, and may exercise all such powers of the Company as are not by this Act required to be exercised by the Company in general meeting, and the directors may, from time to time, among other things also exercise the following powers, the same being specifically referred to for greater certainty, but not so as to restrict the generality of the foregoing terms of this section,—

Issue of debentures, receipts, calls, etc.

(a.) issue debentures, bonds, deposit receipts and stock and regulate the allotment of stock, the making of calls, the payment thereof, the issue and registration of certificates of stock, the forfeiture of stock for non-payment, the disposal of forfeited stock and of the proceeds thereof, and the transfer of stock ;

Dividends.  
Remuneration of officers.

(b.) declare and pay dividends ;

Delegation of powers.

(c.) determine the remuneration of the directors and other officers and servants ;

(d.) delegate any of their powers to committees consisting of such members or member of their body as they think fit, and any committee so formed shall, in the exercise of the powers so delegated, conform to any regulations that may be imposed on it by the directors ;

Appointment of officers.

(e.) appoint and remove all agents, officers and servants of the Company, and provide for and determine their functions and duties, the security to be given by them to the Company and their remuneration ;

Meetings.

(f.) determine the time and place for the holding of all meetings of the Company, the calling of all meetings of the board of directors and of the Company, the quorum at meetings of the directors and of the Company, and the procedure in all things at such meetings ;

Penalties.

(g.) provide for the imposition and recovery of all penalties and forfeitures admitting of regulation by by-law ;

Conduct of Company's affairs.

(h.) conduct in all other particulars the affairs of the Company ;

By-laws.

(i.) make by-laws for the regulation of the business of the Company, its officers and servants, or the members of the Company.

Annual statement for Minister of Finance.

**22.** 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.

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.

**23.** Sections 7, 13, 18, 38 and 39 of *The Companies Clauses Act*, being chapter 118 of the Revised Statutes, shall not apply to the Company. R.S.C., c. 118

**24.** Sections 20, 23, 26, 27, 28, 29, 30, 32, 38, 42, 43 and 44 of *The Loan Companies Act, Canada, 1899*, shall apply to the Company. 1899, c. 41.

#### SCHEDULE.

This indenture made the \_\_\_\_\_ day of \_\_\_\_\_ 1900, between the Canadian Mutual Loan and Investment Company, of the first part, hereinafter called "the old Company," and the Colonial Investment and Loan Company of the second part, hereinafter called "the new Company."

Whereas the shareholders of the old Company have accepted and approved of the new Company's Act of incorporation, being the Act of the Parliament of Canada passed in the year 1900, intituled "An Act to incorporate the Colonial Investment and Loan Company," and by the resolution of shareholders duly passed in that behalf the \_\_\_\_\_ day of \_\_\_\_\_

And whereas by the said Act the new Company is authorized to acquire all the assets, rights, credits, effects and property, real, personal and mixed, of the old Company.

Now this indenture witnesseth that in consideration of the said Act and of the shares in the capital stock of the new Company which are thereby vested in the shareholders of the old Company, and in consideration of the covenants by the new Company hereinafter contained, the old Company does hereby grant, assign, transfer and set over unto the new Company, its successors and assigns, for ever, all the assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to the old Company or to which it is or may be or become entitled: To have and to hold unto the new Company, its successors and assigns, to and for their sole and only use for ever; and the old Company covenants with the new Company to execute and deliver, at the expense of the new Company, all such further and other separate and formal assurances, assignments, transfers and conveyances for registration purposes or other-

wise, as may be required to evidence the vesting in the new Company, its successors and assigns, the full legal, equitable and beneficial title and interest to and in the said assets, rights, credits, effects and property, and each and every part thereof.

And in consideration of the foregoing, the new Company covenants with the old Company, its successors and assigns, that it shall and will pay, discharge and carry out and perform all debts, liabilities, obligations, contracts and duties for or in respect of which the old Company is now liable or which it should pay, discharge, carry out or perform; and the new Company shall and will indemnify and save harmless the old Company in respect thereof.

In witness whereof, etc.

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most Excellent Majesty.



## 63 - 64 VICTORIA.

### CHAP. 96.

#### An Act to incorporate the Congregation of the Most Holy Redeemer.

[Assented to 14th June, 1900.]

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

**1.** The Reverend Fathers Alphonse Lemieux, Edward Strubbe, Louis Savard, Edmond Flynn and Gustave Vermeiren, members of the Religious Community of the Congregation of the Most Holy Redeemer, together with such persons as become members of the congregation, are hereby incorporated under the name of "The Congregation of the Most Holy Redeemer," hereinafter called "the Congregation." Incorporation.  
Corporate name.

**2.** Only persons belonging to the religious community known in the Roman Catholic Church under the name of "The Congregation of the Most Holy Redeemer" may be members of the Congregation. Who may be members.

**3.** The persons named in section 1 of this Act shall be the first directors of the Congregation. First directors.

**2.** The board of directors of the Congregation shall consist of five members, of whom three shall be a quorum. Number of directors.

**3.** The board may make by-laws, rules and regulations for the administration of the property, management and internal government of the Congregation, the election, number and power of its officers, the admission and retirement of its members, the number and place of meeting of the directors, and generally all necessary by-laws consistent with the laws of Canada. Power to make by-laws, etc.

**4.** The Superior of the said community in the city of Montreal shall be, ex officio, the president of the board of directors. President of board.



Corporate  
seat.

Branches.

**4.** The Congregation shall have its corporate seat in the city of Montreal, but it may establish houses in different parts of Canada for the purposes for which the Congregation is incorporated.

Objects.

**5.** The objects of the Congregation are :—

(a.) the maintenance of public worship;

(b.) the religious education of the people and especially that of the poor and abandoned, particularly by holding missions in cities, towns, villages and parishes;

(c.) taking spiritual charge temporarily of small congregations which cannot afford to support a priest;

(d.) giving a moral education, particularly to poor and orphan children;

(e.) helping in missions and education, within the limits of its duties;

(f.) the maintenance of public cemeteries connected with buildings devoted to public worship under its care, and the construction and maintenance of halls attached or belonging to the buildings devoted to public worship under its care, for the public purposes of such buildings respectively;

(g.) all other works depending upon those above mentioned, and all other works connected with the objects set out in this section.

Property.

**6.** The Congregation may, for the purposes of its incorporation only, acquire and hold property and dispose thereof; provided that the annual value of any real property held by the Congregation shall not exceed twenty thousand dollars.

Return to  
Government  
when  
required.

**7.** The Congregation shall, at all times when required, make a full return under oath, showing the number of its institutions, the property, real and personal, held by, or in connection with, each such institution, the income derived from such property, and such other information relating thereto as is required by the Governor in Council or by either House of Parliament.



## 63-64 VICTORIA.

### CHAP. 97.

#### An Act to incorporate the Crown Life Insurance Company.

[Assented to 14th June, 1900.]

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

**1.** George Harley Roberts, Charles W. Taylor, William Incorporation.  
Barclay McMurrich, Norman Macrae and George Hughes  
Watson, 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 Crown Corporate  
Life Insurance Company," hereinafter called "the Company." name.

**2.** The persons named in section 1 of this Act, together Provisional  
with such persons, not exceeding six, as they associate with directors.  
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 only of the Company, and may do generally what  
is necessary to organize the Company.

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

**4.** As soon as two hundred and fifty thousand dollars of the First general  
capital stock of the Company have been subscribed and ten meeting.  
per cent of that amount paid into some chartered bank in  
Canada, the provisional directors shall call a general meeting  
of

- of the shareholders of the Company at some place to be named in the city of Toronto, 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 capital stock has been subscribed and five hundred thousand dollars have been paid thereon in cash, increase the amount of the 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 Toronto, 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.

**10.** The Company may acquire, and dispose of any real Real property. 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 Ontario, where it shall not exceed ten thousand dollars.

**11.** The directors may, from time to time, set apart such portion of the net profits as they deem safe and proper, for Distribution of profits. 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.

**12.** Whenever any holder of a policy other than a term Paid up policies issued in certain cases. 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.

**13.** The Company may agree to give to holders of partici- Rights of participating policy holders. pating 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

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 "Women's" sections, keeping the receipts and the 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

R.S.C., c. 124.

this Act.

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## 63-64 VICTORIA.

### CHAP. 98.

#### An Act respecting the Dominion Cotton Mills Company, Limited.

[Assented to 14th June, 1900.]

**W**HEREAS the Dominion Cotton Mills Company, Limited, <sup>Preamble.</sup> has petitioned for an Act extending its powers, and whereas it appears that at the annual meeting of the shareholders held on the eleventh day of April, one thousand nine hundred, the issue of the preference stock hereinafter authorized was unanimously approved by the holders of five-sixths of the subscribed capital stock of the said company, and whereas it is expedient to grant the prayer of the said petition as hereinafter set forth: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

- 1.** The Dominion Cotton Mills Company, Limited, hereinafter called "the Company," may,—
- (a.) construct, acquire, operate and dispose of cotton and woollen manufactories of every description; Powers.  
Cotton and woollen factories.  
Water power.
  - (b.) for the purposes of the Company, develop, acquire and operate water power, including the construction of dams, head and tail races and flumes, in the neighbourhood of its manufactories, and construct all necessary locks, piers and other works necessary in connection therewith, and may dispose thereof;
  - (c.) construct, acquire, operate and dispose of steam and electric plant for the purpose of generating heat, light and power, and for the establishment of waterworks, factories, mills, workshops and warehouses and other buildings and works required in connection with the Company's business; Heat, light and power.
  - (d.) acquire and dispose of raw cotton wool and cotton waste of every description; manufacture cotton, woollens, shoddy and waste, yarns and fabrics of every description, and bleach, print and dye the raw product, yarn or manufactured goods; Cotton manufacture.

Steam and  
electricity.

(e.) manufacture and supply steam or electricity for the purpose of light, heat or motive power, and any other purpose for which the same may be used, so far as is necessary for the purposes of the Company;

Wharfs,  
vessels, etc.

(f.) construct wharfs, docks, offices and all necessary buildings and works, and construct, acquire and obtain steam and other vessels and cars necessary for the purposes of the Company.

Patents.

(g.) acquire any patent in any way applicable to the business of the Company, grant licenses to use the same, receive payment therefor either in cash, bonds or debentures, or in fully paid up shares of the capital stock of any other similar company, and to such extent become a shareholder in such similar company.

Borrowing  
powers.

2. The directors may, when authorized by a by-law for that purpose, approved by the votes of holders of at least two-thirds in value of the subscribed stock of the Company, present or represented by proxy, at a special general meeting called for considering such by-law, borrow such sums of money, not exceeding in amount seventy-five per cent of the paid-up capital stock of the Company, as the shareholders deem necessary, and may issue bonds or 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 undertaking of the Company as may be prescribed in such by-law or decided upon by the directors under the authority thereof; and the Company may make such provision respecting the redemption of such securities as may be deemed proper.

Issue of paid-  
up shares.

3. The directors may issue as paid-up stock, shares of the capital stock of the Company in payment of and for any of the businesses, franchises, undertakings, rights, powers, privileges, letters patent, contracts, real estate, stocks, assets and other properties which the Company may lawfully acquire by virtue hereof, and may allot and hand over such shares to any person or corporation, or to its shareholders; and may issue as paid-up and unassessable stock shares of the capital stock of the Company, and allot and hand over the same in payment for lands, rights, plant, property, letters patent of invention, rolling stock or materials of any kind, 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, and the Company may pay for any such property wholly or partly in paid-up shares, or wholly or partly in debentures, as the directors deem proper.

Increase of  
capital.

4. After the whole of the capital stock of the Company has been issued and paid up, the capital stock of the Company may

may be increased, from time to time, to an amount not exceeding ten million dollars by a resolution of the shareholders approved of by votes of the holders of at least two-thirds in 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.

5. The directors of the Company may forthwith issue, in shares of one hundred dollars each, preference stock to the amount of one million dollars, the dividends whereon shall be fixed at five per cent per annum, payable half yearly.

2. Such preference stock shall be redeemable by the Company at par at the expiration of twenty years from the date of issue: Provided however, that the Company shall have the right at any time after the expiration of five years from such date of issue to redeem the said preference stock at a premium of five per cent, upon giving to the holders thereof three months' notice in writing of the intention of the Company to redeem the same.

3. The issue of such preference stock shall not prejudice or impair the rights of creditors of the Company.

6. The Company shall cause entries of the preference stock from time to time created, to be made in a register to be kept for that purpose at the head office, wherein shall be entered the names and addresses of the several persons from time to time entitled to the preference stock, with the respective amounts of the stock to which such persons are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bondholder, preference stockholder or shareholder of the Company, without the payment of any fee therefor.

7. All transfers of the preference stock of the Company shall be registered at the head office of the Company, but the Company may have transfer books of such preference stock in Great Britain and Ireland, or elsewhere, in which transfers shall be entered in the book to be kept by the Company.

8. The Company shall, if required, deliver to every holder of preference stock a certificate stating the amount of such stock held by him and the dividends payable thereon; and all regulations and provisions for the time being applicable to certificates of shares of the ordinary stock of the Company shall apply, *mutatis mutandis*, to certificates of preference stock.

9. The holders of preference stock shall be liable for the payment of all calls upon the stock up to the full amount thereof, but shall not be entitled, as such, to be present or to



vote at any meeting of the Company, nor shall such stock confer upon the holder thereof any of the rights of a shareholder.

Conversion of  
bonds and  
preference  
stock.

**10.** The Company may make such arrangements and regulations respecting conversion and exchange of its mortgage bonds and debentures into and for preference stock and for re-exchange and reconversion of the same by the respective holders thereof, as are deemed expedient.

Currency in  
which bonds  
and stock to  
be issued.

**11.** The mortgage bonds, debentures and preference stock of the Company shall be issued either in Canadian currency, or in sterling, or in both, at the option of the Company.

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## 63 - 64 VICTORIA.

### CHAP. 99.

#### An Act to incorporate the Dominion of Canada Rifle Association.

[Assented to 7th July, 1900.]

**W**HEREAS the voluntary association now existing under Preamble.  
the name of the Dominion Rifle Association 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Lieut.-Colonel the Honourable J. M. Gibson, Lieut.-Colonel Sam Hughes, the Honourable R. R. Dobell, Lieut.-Colonel Edwin B. Beer, Lieut.-Colonel C. J. Macdonald, Captain the Honourable Hugh John Macdonald, Lieut.-Colonel the Honourable E. G. Prior, Lieut.-Colonel J. A. Longworth, Lieut.-Colonel Fred Massey, Lieut.-Colonel John Tilton, Lieut.-Colonel W. E. Hodgins, and Lieut.-Colonel John Macpherson, members of the voluntary association mentioned in the preamble, together with such persons as become members of the association hereby incorporated, are incorporated under the name of "The Dominion of Canada Rifle Association," hereinafter called "the Association." Incorporation. Corporate name.

**2.** The officers and council of the said voluntary association at the time this Act is passed shall be the officers and council of the Association until the first general meeting of the Association or until their successors are elected, and the constitution, by-laws, rules and regulations of the said voluntary association at the time this Act is passed shall continue to be the constitution, by-laws, rules and regulations of the Association, so far as they are consistent with this Act, until repealed or amended in the manner prescribed by this Act. Existing officers and by-laws to continue.

**3.** All property, real and personal, now belonging to the said voluntary association is hereby transferred to and vested in the Association, its successors and assigns. Property to vest.

- Head office.**      **4.** The head office of the Association shall be in the city of Ottawa, in the province of Ontario.
- Election of officers.**      **5.** At the first general meeting of the Association, and at each annual general meeting, the Association shall elect a president of the Association, a vice president for each province and a council composed of members of the Association elected to represent each province, the number of such representatives to be fixed by by-law.
- Powers of council.**      **6.** The council may, in all things, administer the affairs of the Association and may make any description of contract which the Association may, by law, enter into, and may make by-laws for the following purposes:—
- (a.) To regulate the number of members of the council.
  - (b.) The number of members of the council to represent each province and the method of their election.
  - (c.) The appointment, duties and removal of all officers and servants of the Association and their remuneration.
  - (d.) The time and place of holding all meetings of the Association, council and committees and the quorum thereof and voting thereat.
  - (e.) The fees and membership of the Association.
  - (f.) To fill vacancies occurring in the council and committees.
  - (g.) The conduct in all other particulars of the affairs of the Association and for carrying out its objects and powers.
- Executive committee of council.**      **7.** The council may elect from among its members a committee to be called the Executive Committee, and the council may, by resolution, delegate to the Executive Committee power to make by-laws for any of the purposes mentioned in section 6 of this Act, which by-laws shall thereupon be of the same force and effect as if made by the council.
- Objects of Association.**      **8.** The objects and powers of the Association shall be,—
- (a.) to promote and encourage rifle shooting throughout Canada ;
  - (b.) to establish, regulate, control and carry on annual prize competitions at or near the city of Ottawa ;
  - (c.) to affiliate and unite with other associations and clubs having for their object the promotion of rifle shooting ;
  - (d.) to acquire, hold and dispose of such real property as is necessary or desirable for the purposes of the Association ;
  - (e.) to erect and furnish such buildings as are deemed necessary for its purposes and objects, and alienate, lease, and dispose thereof ;
  - (f.) to borrow money on mortgage of its real estate, or upon any other security, for such time and for such purposes as it sees fit ;
  - (g.) to become a party to promissory notes and bills of exchange for the purposes or objects of the Association, as the council considers necessary or advisable.

9. Every by-law, rule or regulation made by the council, <sup>By-laws.</sup> or by the Executive Committee under its authority, shall have force until the next annual general meeting of the Association, and in default of confirmation thereat shall cease and become void; provided that any by-law, rule or regulation passed by the council or the Executive Committee may be repealed or amended by the Association at any annual general meeting or any special general meeting called for the purpose.

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## 63-64 VICTORIA.

### CHAP. 100.

An Act to confer on the Commissioner of Patents certain powers for the relief of the Frost and Wood Company, Limited.

[Assented to 7th July, 1900.]

WHEREAS the Frost and Wood Company, Limited, having Preamble.

its place of business at the town of Smiths Falls, in the province of Ontario, has, by its petition, represented that on and prior to the twenty-fifth day of March, one thousand eight hundred and ninety-nine, it was, by certain mesne assignments, the holder and owner of letters patent under the seal of the Patent Office, dated the sixth day of June, one thousand eight hundred and ninety-three, for new and useful improvements in disc harrow and pole attachments, being patent number forty-three thousand one hundred and thirty-five; that on or before the expiration of the first six years 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 company 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 company and others had, prior to the said twenty-fifth day of March, one thousand eight hundred and ninety-nine, invested large sums in the perfecting of the details of the manufacture of the said invention and the extension and advertising of the business dealing in the machines covered by the said letters patent; that the clerk in the office of the said company whose duty it was to have obtained the renewal of the said letters patent inadvertently omitted to make such application before the sixth day of June, one thousand eight hundred and ninety-nine, but soon after the omission was observed made application to pay the said fee, at which date such application could not be entertained, as the Commissioner of Patents could not then accept the additional fee and grant a certificate of payment thereof; and whereas the said company has, by its petition, prayed that it be enacted as

R.S.C., c. 61,  
s. 22; 1892,  
c. 24, s. 5;  
1893, c. 34,  
s. 3.

hereinafter set forth, and it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Commissioner  
of Patents  
may extend  
duration of  
letters patent.

**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 the Frost and Wood Company, Limited, the application for a certificate of payment and the usual fees upon the said letters patent for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said company the certificate of payment of fees provided by *The Patent Act*, and an extension of the period of duration of the said 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 six years from the date of the issue of the said letters patent.

Rights of  
third persons  
preserved.

**2.** Any person who has, within the period between the sixth day of June, one thousand eight hundred and ninety-nine, and the extension hereunder of the said letters patent, acquired by assignment, user, manufacture or otherwise any interest or right in respect of such improvements or invention shall continue to enjoy the same as if this Act had not been passed.

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## 63-64 VICTORIA.

### CHAP. 101.

#### An Act to incorporate the Holiness Movement Church in Canada.

[Assented to 14th June, 1900.]

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

**1.** Ralph C. Horner, George Comerford, Edwin Claxton, Incorporation.  
William J. Nesbitt, George S. Paul, Emery F. Smith and  
William J. Dey, together with such persons as become mem-  
bers of the Movement, are hereby incorporated under the name  
of “The Holiness Movement Church in Canada,” hereinafter Corporate  
called “the Movement.” name.

**2.** The Movement shall consist of the bishop, clergy, and Of whom  
members elected according to the constitution hereinafter Movement  
provided for. composed.

**3.** The Movement may meet in general conference, and may Powers.  
adopt and frame constitutions and make regulations for  
organization, for membership and for enforcing discipline in  
the Movement, and for the appointment, deposition, deprivation  
or removal of any person bearing office therein, and for the  
convenient and orderly management of the property, affairs,  
and interest of the Movement in matters relating to and affect-  
ing only the Movement.

**4.** The first general conference after incorporation shall First general  
consist of the following ordained ministers of the Movement : conference.  
Ralph C. Horner, George Comerford, Edwin Claxton, William  
J. Nesbitt, George S. Paul, Emery F. Smith, William J. Dey,  
Albert T. Warren, Harvey Caverly, Robert Collins, Asa B.  
Van Camp, Asa McIntosh, Wesley Trotter, Robert J. Dey,  
Samuel



Samuel J. Shields, Robert Radford, Isaac B. Johnson, Allan Moore, Herbert E. Randall, Edward Bishop, George A. Moran and Thomas McShea, together with such ministers as may be ordained after the passing of this Act and before the holding of such conference.

Power to  
acquire  
property.

**5.** The Movement may, from time to time, acquire and receive conveyances of such lands, moneys, mortgages and securities or other property as may be required for the purpose of chapels, colleges, schools or other educational purposes connected with the Movement, or for the purpose of a conference hall, or for the purpose of printing and publishing houses in connection with the Movement and carrying on the business of such printing and publishing houses, and for the purposes of endowing and supporting such chapels, colleges and schools and such printing and publishing houses and any book depository in connection therewith; and may also receive the benefit of any gift or devise by will or otherwise in its corporate name for the uses and purposes of the Movement: Provided, that the annual value of real estate which the Movement may possess in any one municipality shall not exceed the sum of ten thousand dollars; and provided also that the Movement shall, within seven years after its acquisition of any real estate, dispose of and alienate so much of the said real estate as is not required for the use and occupation of the Movement.

Sale, etc., of  
property.

**6.** The Movement may, in addition to the powers conferred upon it by the next preceding section and subject to the provisions thereof, sell, exchange, alienate, mortgage, lease or demise any lands, tenements and hereditaments held by the Movement, whether simply by way of investment for the uses and purposes set forth in the next preceding section or not, and the Movement may also, from time to time, invest any of its funds and moneys in and upon any mortgage security of lands, tenements and hereditaments, and in debentures of municipal or public school corporations or in Dominion or provincial stock or securities in any part of Canada, and for the purposes of such investments may take, receive and accept mortgages, or assignments thereof, whether such mortgages or assignments be made and executed directly to it in its own corporate name, or to some other company or person in trust for it, and shall have and enjoy the same; and furthermore, may sell, grant, assign and transfer such mortgages, to any person, company or body capable of receiving an assignment thereof, and may release and discharge such mortgages either wholly or partly.

Investments.

Execution of  
documents.

**7.** All conveyances and instruments of the Movement shall be executed by affixing the corporate seal of the Movement and the signatures of the bishop and secretary for the time being of the Movement.

**S.** The Movement shall at all times, when required, make a full return under oath, showing the property, real and personal, held by it, for the purposes mentioned in section 5, or any of them, the income derived from such property, and such other information relating thereto, as is required by the Governor in Council, or either House of Parliament. <sup>Return as to property.</sup>

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## 63-64 VICTORIA.

### CHAP. 102.

An Act respecting *La Banque Jacques Cartier*, and to change its name to *La Banque Provinciale du Canada*.

[Assented to 7th May, 1900.]

**W**HEREAS *La Banque Jacques Cartier* has, by its petition, Preamble. prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. *La Banque Jacques Cartier* may, by by-law, after the Treasury Board has issued a certificate approving of the increase of the capital stock of the said Bank to the sum of one million dollars, change its name to *La Banque Provinciale du Canada*, but such change in name shall not in any way impair, alter or affect the rights or liabilities of the said Bank, nor in any wise affect any suit or proceeding now pending or judgment existing either by, or in favour of, or against the said Bank, which, notwithstanding such change in the name of the said Bank, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Power to change name by by-law. Existing rights preserved.

2. Such by-law shall have no force or effect until it has been published in *The Canada Gazette*. Publication of by-law.

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## 63-64 VICTORIA.

### CHAP. 103.

An Act respecting the Merchants Bank of Halifax, and to change its name to "The Royal Bank of Canada."

[Assented to 14th June, 1900.]

**WHEREAS** the Merchants Bank of Halifax has, by its Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :

**1.** The name of the Merchants Bank of Halifax is Name changed. changed to "The Royal Bank of Canada," but such change in name shall not in any way impair, alter or affect the rights Existing rights preserved. or liabilities of the said Bank, nor in anywise affect any suit or proceeding now pending, or judgment existing either by or in favour of or against the said Bank, which, notwithstanding such change in name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

**2.** Before this Act shall take effect, a general meeting of When Act to come into force. the shareholders of the said Bank shall be called for the purpose of considering it, and a resolution accepting and approving thereof shall be passed by the shareholders present or represented by proxy at such meeting, and a certified copy of such resolution shall, within fifteen days after the passing thereof, be published in *The Canada Gazette*, and this Act shall take effect from the date of such publication.

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## 63-64 VICTORIA.

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### CHAP. 104.

An Act to amend the "Act respecting the Merchants Bank of Halifax, and to change its name to the Royal Bank of Canada."

[Assented to 7th July, 1900.]

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

1. Section 2 of the Act of the present session intituled *An Act respecting the Merchants Bank of Halifax, and to change its name to the Royal Bank of Canada* is repealed, and the following section is substituted therefor:—

"2. The first section of this Act shall come into force upon its publication in *The Canada Gazette*, and the Secretary of State of Canada shall cause it to be so published upon receiving a certificate under the hand of the president of the said bank and the seal of the said bank certifying that the said Act has been approved by a vote of the directors, and upon receiving a sum sufficient to pay the cost of such publication."

When Act  
to come  
into force.

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## 63-64 VICTORIA.

### CHAP. 105.

An Act to confer on the Commissioner of Patents certain powers for the relief of James Milne.

[Assented to 7th July, 1900.]

**W**HEREAS James Milne, having his chief place of business <sup>Preamble.</sup> at the city of Toronto, in the province of Ontario, has, by his petition, represented that on or about the twenty-seventh day of October, one thousand eight hundred and ninety-eight, he became the holder and owner of letters patent under the seal of the patent office, dated the twenty-fifth day of July, one thousand eight hundred and ninety-three, for new and useful improvements in fuel feeding devices, being patent number forty-three thousand seven hundred and thirty-one; that on or before the expiration of the first six years 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 James Milne 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 James Milne and others, including the General Engineering Company of Ontario, Limited, have invested a large sum in the perfecting of the details of the manufacture of the said invention and the extension and advertising of the business dealing in the machine covered by the said letters patent; that the said Milne, an officer of the said company carrying on business at the time at the city of Toronto aforesaid, inadvertently omitted to make such application before the twenty-fifth day of July, one thousand eight hundred and ninety-nine, but, soon after the omission was observed, namely on the third day of August, one thousand eight hundred and ninety-nine, made application to pay the said fee, at which date such application could not be entertained, as the Commissioner of Patents could not then accept the additional fee and grant a certificate of payment thereof; and whereas the said Milne has, by his petition, prayed that it be enacted as hereinafter set forth, and it is expedient

expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Commissioner  
of Patents  
may extend  
duration of  
letters patent

**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 James Milne the application for a certificate of payment and the usual fees upon the said letters patent for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said James Milne the certificate of payment of fees provided by *The Patent Act*, and an extension of the period of the duration of the said 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 six years from the date of the issue of the said letters patent.

Rights of  
third persons  
preserved.

**2.** Any person who has within the period between the twenty-fifth day of July, one thousand eight hundred and ninety-nine, and the extension hereunder of the said letters patent, acquired by assignment, user, manufacture or otherwise any interest or right in respect of such improvements or invention shall continue to enjoy the same as if this Act had not been passed.

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## 63-64 VICTORIA.

### CHAP. 106.

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

[Assented to 7th May, 1900.]

**W**HEREAS the Montreal, Ottawa and Georgian Bay Canal Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Subsection 1 of section 20 of the Act incorporating the Montreal, Ottawa and Georgian Bay Canal Company, chapter 103 of the statutes of 1894, is hereby repealed and the following substituted therefor:—

**“20.** At the first meeting of shareholders, and at each annual meeting, the subscribers for capital stock assembled who have paid all calls due on their shares shall choose not less than eight nor more than fifteen persons, each of whom shall hold at least twenty shares of the capital stock of the Company, to be directors of the Company, the majority of whom shall form a quorum, and one or more of whom may be paid directors of the Company.”

**2.** Section 22 of chapter 103 of the statutes of 1894 is hereby repealed, and the following substituted therefor:—

**“22.** The Company may issue and pledge, or dispose of, bonds, debentures or other securities as provided in *The Railway Act*, to the extent of thirty-five millions of dollars.”

**3.** Section 4 of chapter 109 of the statutes of 1898 is hereby repealed and the following substituted therefor:—

**“4.** If the construction of the Montreal, Ottawa and Georgian Bay Canal Company’s canals, or some of them, is not commenced, and fifty thousand dollars are not expended thereon on or before the first day of May, one thousand nine hundred and two, or if the said canals are not finished and put in

in operation by the first day of May, one thousand nine hundred and eight, then the powers granted by the Acts relating to the said Company and by this Act shall cease and be null and void as respects so much of the said canals and works as then remain uncompleted.”

1894, c. 103,  
s. 5 amended.

4. Section 5 of chapter 103 of the statutes of 1894 is hereby amended by adding thereto the following subsections :—

“2. The directors of the Company may pass a by-law for creating and issuing any part of the capital stock as preference stock, giving the same such preference and priority as respects dividends and otherwise over ordinary stock as may be declared by the by-law.

“3. The by-law may provide that the holders of shares of such preference stock shall have the right to select a certain stated proportion of the board of directors, or may give the said holders such control over the affairs of the Company as may be considered expedient.

“4. No such by-law shall have any force or effect until it has been sanctioned by a vote of the shareholders representing at least two-thirds in value of the subscribed stock of the Company, present or represented by proxy at a general meeting of the Company duly called for considering such by-law.

“5. Holders of shares 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 preferences and rights given by such by-law.

“6. Nothing contained in or done in pursuance of subsections 2, 3, 4 and 5 of this section shall affect or impair the rights of creditors of the Company.”

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## 63 - 64 VICTORIA.

### CHAP. 107.

#### An Act respecting the National Sanitarium Association.

[Assented to 14th June, 1900.]

**W**HEREAS the National Sanitarium Association has, by its Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The National Sanitarium Association, incorporated by Borrowing chapter 52 of the statutes of 1896 (first session) may from time powers. to time borrow money upon the credit and for the purposes of 1896, (1st the said Association, and may mortgage, hypothecate or pledge Session), c. 52. the real property of the said Association as security for the sums borrowed and interest; and by-laws may from time to time be made as provided by the said Act for the said purposes, but no person advancing money to the said Association shall be bound to see to the due application of the same or be answerable for any misapplication thereof.

**2.** In addition to the trustees appointed or to be appointed Trustees. as provided by the said Act, other trustees may be appointed from time to time for limited terms of service to represent associate members and to represent municipalities granting financial assistance to the said Association, and by-laws may be made from time to time as provided by the said Act for determining and regulating the number, qualifications, mode of appointment and terms of service of such trustees.

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## 63 - 64 VICTORIA.

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### CHAP. 108.

#### An Act respecting the Niagara Grand Island Bridge Company.

[Assented to 7th May, 1900.]

**W**HEREAS the Niagara Grand Island Bridge Company Preamble. 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The times limited by the Acts respecting the Niagara Time Grand Island Bridge Company for the commencement and extended. completion of its undertaking are hereby extended as follows: The works authorized by chapter 77 of the statutes of 1874, 1874, c. 77. incorporating the said Company, shall be commenced within three years and completed within five years from the passing of this Act, otherwise the powers granted by the said Act incorporating the said Company shall cease and be null and void as respects so much of the undertaking of the Company as then remains uncompleted.

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most Excellent Majesty.







## 63 - 64 VICTORIA.

### CHAP. 109.

#### An Act respecting the Nickel Steel Company of Canada.

[Assented to 7th July, 1900.]

**W**HEREAS the Nickel Steel Company of Canada has, by its Preamble. petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The Nickel Steel Company of Canada, hereinafter called “the Company,” may, for the purposes of its undertaking, construct, maintain 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 any shipping point on any navigable water, or with the line of any railway company incorporated by the Parliament of Canada. Railway sidings and spur lines.

**2.** The Company may amalgamate with, or acquire the shares or securities of the Nickel Copper Company of Ontario, Limited, and the Consolidated Copper and Nickel Company of Ontario, Limited. Amalgamation with another company.

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## 63-64 VICTORIA.

### CHAP. 110.

#### An Act respecting the Northern Commercial Telegraph Company (Limited).

[Assented to 14th June, 1900.]

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

- 1.** The capital stock of the Northern Commercial Telegraph Capital  
Company (Limited) is increased to five hundred thousand increased.  
pounds sterling, divided into shares of one pound each.
- 2.** Section 18 of chapter 111 of the statutes of 1898 is repeal- 1898, c. 111,  
ed. s. 18 repealed.

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most Excellent Majesty.





## 63 - 64 VICTORIA.

### CHAP. III.

#### An Act respecting the Nova Scotia Steel Company, Limited.

[Assented to 14th June, 1900.]

**WHEREAS** the Nova Scotia Steel Company, Limited, has, Preamble.  
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 Her Majesty, by and with the advice and  
consent of the Senate and House of Commons of Canada, enacts  
as follows:—

**1.** The Act to incorporate the Nova Scotia Steel Company, 1894, c. 117 ;  
1895, c. 91 ;  
1899, c. 121.  
Limited, being chapter 117 of the statutes of 1894, as amended  
by chapter 91 of the statutes of 1895 and chapter 121  
of the statutes of 1899, is hereby further amended by adding  
thereto the following sections:—

**“18.** The Company may lease, sell, transfer and convey the Power to  
dispose of  
Company's  
business.  
whole or any part of its property, business, franchises, under-  
takings, rights, powers, privileges and assets, or any of them,  
and may accept in payment therefor the whole or any part of  
the purchase price in cash, or in the capital stock of any other  
company paid-up or partly paid-up, or in the debentures of  
any other company, or otherwise as is agreed upon, or may,  
upon such terms as are agreed upon between the Company  
and any other company or companies, enter into and carry out  
any arrangements for the working or carrying on by such other  
company or companies of the business of the Company.

**“19.** In the event of the Company selling and disposing of Effect of  
such sale.  
the whole of its property, business, franchises, undertakings,  
rights, powers, privileges and assets, it shall no longer exercise  
its corporate powers or make use of its corporate name for any  
purpose except for the purpose of supporting and carrying  
into effect the said sale and winding up of its affairs; and after  
payment of all its liabilities, any surplus remaining may be  
divided by the directors among the shareholders according to  
law without resorting to any formal proceedings for winding  
up the Company.

By-law  
authorizing  
sale.

“**20.** The power to lease, sell, transfer and convey the whole of the property, business, franchises, undertakings, rights, powers, privileges and assets of the Company hereinbefore conferred upon the Company, may be exercised by the directors thereof, at any time, if a by-law authorizing them to do so is passed by the votes of the holders of at least two-thirds in value of the subscribed stock of the Company, given in person or by proxy, at a special general meeting of the Company duly called and held for that purpose, or at any annual meeting of the Company.”

Rights of  
creditors  
saved.

**2.** Nothing in, or done in pursuance of, this Act shall affect or impair the rights of the creditors of the Company.

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most Excellent Majesty.



## 63-64 VICTORIA.

### CHAP. 112.

An Act respecting the Ontario Mutual Life Assurance Company, and to change its name to "The Mutual Life Assurance Company of Canada."

[Assented to 14th June, 1900.]

**W**HEREAS the Ontario Mutual Life Assurance Company Preamble.  
has, by its petition, prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the  
said petition: Therefore Her Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
enacts as follows:—

**1.** The name of the Ontario Mutual Life Assurance Com- Name  
pany is changed to "The Mutual Life Assurance Company of changed.  
Canada," under which name the said Company shall enjoy all Existing  
the franchises and privileges, and have vested in it all the rights  
rights and assets, and be subject to all the liabilities heretofore preserved.  
held, enjoyed or possessed by, or which have heretofore at-  
tached to, the Ontario Mutual Life Assurance Company, and  
no suit now pending or which may be instituted after the  
passing of this Act in relation to any matter or thing done  
previous to the passing of this Act, shall be abated by reason  
of such change of name, but the same may be continued to  
final judgment in the name under which it shall have been or  
may be commenced, and all deeds and other documents here-  
tofore executed or signed, in which the name of the Ontario  
Mutual Life Assurance Company occurs, shall hereafter be  
read, construed or acted upon in all respects as if such changed  
name was inserted therein instead of the former name.

**2.** Section 7 of chapter 33 of the statutes of 1878, as amended 1878, c. 33,  
by section 2 of chapter 96 of the statutes of 1889, is further s. 7; 1889,  
amended by striking out therefrom the words "fourth Thurs- c. 96, s. 2.  
day in May," and inserting in lieu thereof the words "first Annual  
Thursday in March." meeting.







# 63-64 VICTORIA.

## CHAP. 113.

### An Act respecting the Ontario Power Company of Niagara Falls.

[Assented to 7th July, 1900.]

**W**HEREAS the Ontario Power Company of Niagara Falls Preamble.  
has, by its petition, prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the 1887, c. 120;  
said petition : Therefore Her Majesty, by and with the advice 1891, c. 126 ;  
and consent of the Senate and House of Commons of Canada, 1893, c. 89 ;  
enacts as follows :— 1899, c. 105.

**1.** Notwithstanding anything contained in section 2 of 1899, c. 105.  
chapter 105 of the statutes of 1899, the time for the completion  
of the works of the Ontario Power Company of Niagara Falls Time for  
capable of delivering at least fifteen thousand horse power is construction  
extended for six years from the passing of this Act. extended.

**2.** Sections 12 and 13 of the Act incorporating the said 1887, c. 120,  
Company, being chapter 120 of the statutes of 1887, are amend- ss. 12 and 13  
ed by striking out the words "city of Toronto" in the third amended.  
line of section 12 and in the second line of section 13 and by General  
substituting in lieu thereof the words "town of Niagara Falls meetings.  
or such other place in Ontario as the board of directors from  
time to time appoints."

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most Excellent Majesty.





## 63-64 VICTORIA.

### CHAP. 114.

#### An Act respecting the Ottawa and Hull Fire Relief Fund.

[Assented to 7th July, 1900.]

**W**HEREAS it has been represented that on the twenty-sixth day of April last a great conflagration took place beginning in the city of Hull, province of Quebec, and extending into the city of Ottawa, and also several smaller fires in and about the said cities, causing a great loss of property and much distress in and about the said cities; that as the result of steps taken to obtain and distribute relief to the sufferers by the said fires the persons hereinafter named were appointed an Executive Committee to receive contributions and distribute relief; that a large amount of supplies and money has been contributed from different parts of the world; that the said supplies have been for the most part distributed, but that only a small portion of the money has been expended; that as questions have been raised and doubts expressed as to the powers, responsibilities and discretion of the said committee with respect to the said relief fund, the said committee desires to be constituted a corporation with the powers necessary or proper to enable them to carry out the objects in view and to protect them in so doing; and whereas the work of distribution has to be done with respect to persons in the provinces of Ontario and Quebec, and the work of the said corporation will have to be done in each of the said provinces, and the creation of the said corporation is therefore a proper subject of legislation by the Parliament of Canada: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

**L.** George H. Perley, John C. Browne, John Sweetland, Fred. Cook, H. K. Egan, Dennis Murphy, William Hutchison, M.P., N. A. Belcourt, M.P., C. Berkeley Powell, M.L.A., Alexander Lumsden, M.L.A., His Worship Mayor Payment, Alderman Enright, Alderman James Davidson, Alderman Foster and Alderman Champagne, all of the city of Ottawa, L. N. Champagne, M.P., C. B. Major, M.L.A., His Worship Mayor

Incorporation.

Corporate  
name.

Mayor Barrette and Alderman Helmer, of the city of Hull, now constituting the said Executive Committee, are incorporated under the name of "The Ottawa and Hull Fire Relief Fund," hereinafter called "the Corporation," with all powers incident to a corporation which are necessary for the carrying out of the objects of this Act.

Property to  
vest.

**2.** There shall vest in the Corporation the following property, that is to say :—

(a.) All unexpended moneys and undistributed goods contributed from any source and in any manner for the relief of the sufferers by the said fires to or through the said Executive Committee, and including, among others, the goods and other supplies now on hand or under the control of the said Executive Committee, and all moneys now at the credit of the Ottawa and Hull Fire Relief Fund in the Bank of Ottawa or in any other bank, or now in the possession or control otherwise of the said Executive Committee or of any other person, committee, association, society, or incorporated or unincorporated body for the relief through the said committee of the said sufferers ;

(b.) All moneys, goods or other supplies or contributions that may at any time after the passing of this Act be contributed to be expended or distributed by or through the said committee or the Corporation ;

(c.) All the books, papers and documents of the said committee relating to the said fire relief.

Withdrawal  
of money  
from bank.

**2.** The cheques of the Corporation shall be signed by its chairman or vice-chairman and by its administrator and treasurer, 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 in the name of "The Ottawa and Hull Fire Relief Fund," and the receipt of the administrator and treasurer of the Corporation shall be a sufficient discharge for any other moneys or for any supplies with which the Corporation may become vested as aforesaid or otherwise.

How money  
and supplies  
to be distri-  
buted.

**3.** The Corporation shall take all the said moneys and supplies and, subject to the provisions of section 14 of this Act, pay, apply or distribute them to the best of its judgment to sufferers, or for the benefit of sufferers by the said fires, in such manner among such sufferers, 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 the sufferers have been by the said fires, and in what way or to what extent they should be given relief by the Corporation.

Audit of  
accounts.

**4.** When the distribution of the said supplies and money has been substantially completed, the Corporation shall have an audit made of its accounts by some competent auditor,

whose appointment shall be approved of by the Governor in Council, and it shall publish the report of the said auditor, with such further statement as it thinks proper, in some one or more newspapers published in the cities of Ottawa and Hull for one or more issues thereof, as it deems proper, and may also publish the said report and statement in such other way as it thinks advisable. Report to be published.

**5.** 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 after the passing of this Act, with respect to the receipt, expenditure or distribution of the said moneys or supplies, or of any portion thereof, or in any other respect in carrying out the objects of this Act. Corporation not to be liable except for fraud.

**6.** There shall be a chairman, a vice-chairman and an officer to be called the administrator and treasurer of the Corporation, and such other officers and employees as the Corporation thinks proper. Officers of Corporation.

**2.** The said George H. Perley shall be the first chairman; the said John Sweetland, the first vice-chairman; and the said John C. Browne, the first administrator and treasurer of the Corporation. First officers.

**7.** In the event of the death or resignation from office of any of the said officers, the Corporation shall appoint a successor from among the members of the Corporation, and such successor shall have the same powers and duties as if he had been named as such officer in this Act. How vacancies filled.

**8.** The head office of the Corporation shall be in the city of Ottawa. Head office.

**9.** The first meeting of the Corporation shall be held in the city of Ottawa within ten days after the passing of this Act, and shall be called by the chairman or vice-chairman by notice mailed postage prepaid to each member of the Corporation at least twenty-four hours before the time fixed for the meeting, and the notice shall state the hour and place of meeting. First meeting of Corporation. Notice.

**10.** At the said first meeting five members shall be a quorum, and the chairman, or in his absence the vice-chairman, shall preside. In the event of neither the chairman nor vice-chairman being present, the meeting may elect any other member of the Corporation present to preside. Quorum.

**2.** At such first meeting any business whatever may be done. Business.

How vacancies in Corporation filled.

**11.** In the event of the death or resignation of any member of the Corporation, the Corporation may elect a successor from the city of Ottawa or the city of Hull, as the case may be, to take the place of such person so dying or resigning, and such person so elected shall, from the time of such election, be a member of the Corporation as if he had been named in this Act.

Deposit of moneys.  
Record of proceedings.

**12.** The Corporation shall deposit all moneys received by it in a chartered bank in the city of Ottawa, and shall keep such books of account and further record of its proceedings as it thinks necessary.

Power to make 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 election of members to fill vacancies, the quorum at meetings, the internal government of the Corporation in other respects, and the carrying out of the objects of this Act.

Payments which may be made.

**14.** The Corporation may, out of the moneys to be dealt with as aforesaid, pay all the employees of the Corporation or of the said Executive Committee, and all such other expenses as it thinks necessary or proper to incur, or which it considers have been properly incurred by the said Executive Committee or on its behalf, in connection with the carrying out of the objects of this Act or of the work of the said Executive Committee.

Limit of time for receiving contributions and claims.

**15.** The Corporation may, by advertisement in one or more newspapers, as it thinks proper, limit a date after which it will not receive any contributions, or limit a date after which it will not receive any claims for assistance.

When Corporation to be dissolved.

**16.** When the report and statement referred to in section 4 of this Act have been published as therein provided, and the whole of the moneys to be dealt with by the Corporation have been paid out and expended, the corporate powers of the Corporation shall be deemed to have ceased and the Corporation to be dissolved.

R.S.C., c. 118 not to apply.

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



## 63-64 VICTORIA.

### CHAP. 115.

#### An Act respecting the Quebec Bridge Company.

[Assented to 14th June, 1900.]

**W**HEREAS the Quebec Bridge 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1887, c. 98;  
1891, c. 107;  
1897, c. 69.

**1.** Section 5 and all the words from the beginning of the fourth line to the word “uncompleted” inclusive in the tenth line of section 6 of chapter 69 of the statutes of 1897 are repealed.

1897, c. 69, s.  
5 repealed and  
s. 6 amended.

**2.** Section 14 of chapter 98 of the statutes of 1887 is amended by adding thereto the following subsection:—

1887, c. 98,  
s. 14 amended.

“2. The Company may enter into arrangements with any electric, telegraph, telephone, street railway or tramway company for the laying, placing or operating of electric wires and appliances connected therewith on the said bridge and the railways connecting therewith, and may also enter into arrangements with any electric street railway or tramway company for the passage of its cars on the said bridge and railways, and may also operate the said railways, and the cars passing over the said bridge, by electricity or otherwise.”

Arrangements  
with other  
companies.

**3.** The bridge and the railways connecting therewith, authorized by chapter 98 of the statutes of 1887, incorporating the Quebec Bridge Company, shall be completed within five years after the passing of this Act, otherwise the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said bridge and railways as then remains uncompleted.

Time for  
construction  
of bridge  
extended.



Proxies.

4. The directors may, by by-law, enact that the proxies to vote at general meetings of shareholders shall be deposited with the secretary of the said Company at least twenty-four hours previous to such meetings.

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



## 63 - 64 VICTORIA.

### CHAP. 116.

An Act respecting the Quebec Harbour Commissioners.

[Assented to 18th July, 1900.]

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

1. The modifications of the agreement ratified by chapter 35 of the statutes of 1899, embodied in the memorandum of agreement set forth in the schedule hereto, are hereby ratified and confirmed.

Agreement  
in schedule  
confirmed.

2. Sections 3 and 4 of the said Act are repealed, and in lieu thereof it is enacted that the guarantee of interest mentioned in the said agreement and memorandum of agreement shall be a preferential charge upon the revenues of the Commissioners, after the expenses provided for in paragraphs 1 and 2 of section 36 of chapter 34 of the statutes of 1899, and after the capital and interest of the bonds authorized by chapter 48 of the statutes of 1898 and by section 35 of chapter 34 of the statutes of 1899.

Interest on  
bonds.

1898, c. 48 ;  
1899, c. 34.

### SCHEDULE.

#### MEMORANDUM OF AGREEMENT.

In the year of our Lord one thousand nine hundred, on the eighteenth day of the month of April, before Cyrille F. Delage, the undersigned notary public, duly commissioned and sworn for that part of the Dominion of Canada called the province of Quebec, residing and practising in the city of Quebec, in the said province :

Personally came and appeared : Narcisse Rioux, of the city of Quebec, merchant, acting Chairman of the Quebec Harbour Commissioners, a body politic and corporate, having its principal place of business in the city of Quebec, and James Woods, of the same place, Esquire, secretary-treasurer of the Quebec Harbour Commissioners ;

The said Narcisse Rioux and James Woods, acting in the name and for the benefit of the said Quebec Harbour Commissioners, specially authorized to sign and execute these presents, by and in virtue of a resolution passed by the said Quebec Harbour Commissioners, at a meeting held on the twelfth of the month of March last (1900), a copy of which resolution has been annexed to these presents, after being signed by the parties hereto and the undersigned notary, parties of the first part, and hereafter called 'the Commissioners ;'

And the Great Northern Railway Company, a body politic duly incorporated by an Act of the Parliament of Canada, having its principal place of business in the said city of Quebec, represented in this deed by Honble. Pierre Garneau, of the city of Quebec, merchant, president, and Louis G. Scott, of the same place, Esquire, secretary of the said company, duly authorized to the effect hereof by resolution of the board of directors of the said company, at one of their meetings held on the fourteenth of the month of April instant, a copy of which resolution has been annexed to these presents, after being signed by the parties hereto and the undersigned notary, parties of the second part, and hereinafter called 'the Company.'

Whereas by deed of date the 30th June, 1899, passed before E. J. Angers, notary public, the parties agreed among other matters that the Company should construct an elevator upon land leased to them by the Commissioners, which elevator was to be complete and ready for operation by the first day of May next (1900) and the construction whereof was to be commenced on the thirty-first day of December now past, and further, that the Commissioners should guarantee interest for twenty years at three per cent per annum on bonds to be issued by the Company and known as the 'Quebec Grain Elevator Bonds,' to an extent of \$200,000, and further, that the Company should transfer to the Commissioners the earnings of the said elevator to the extent of six thousand dollars (\$6,000) per annum, and if the earnings aggregated an amount exceeding six per cent upon the bonds issued, such surplus should be deposited under the direction of the Commissioners. And whereas the parties are desirous of modifying the said agreement in several respects :

Therefore it is agreed as follows :—

1. The Commissioners declare themselves satisfied with the work done for the purpose of commencing the construction of the elevator prior to the 31st December last past and extend the time for the completion of the elevator to the first day of August next (1900).

2. The second paragraph of the seventh clause of the contract of the 30th June, 1899, above referred to, beginning with the words 'it is also agreed if the said earnings aggregate an amount exceeding six per cent, etc.', and ending with the words 'shall be used to pay such interest as may be due on the bonds,' is hereby abrogated and eliminated from the contract,

tract, and the following substituted therefor : The said Company shall, out of the first surplus earnings, deposit in a bank to the joint order of the Quebec Harbour Commissioners and the Company, a sum of twelve thousand dollars (\$12,000), to be applied to the payment of the interest on the bonds guaranteed by the Quebec Harbour Commissioners and shall maintain the said sum at twelve thousand dollars (\$12,000), provided, however, that such deposit shall not be required if the elevator be leased to the Great Northern Railway Company, on condition that the railway company shall pay a rental sufficient to pay the interest on all bonds guaranteed by the Quebec Harbour Commissioners and a sinking fund for such bonds.

3. The guarantee of interest stipulated by the sixth paragraph of the contract of the 30th of June, 1899, shall be given to bonds issued by the railway company in virtue of their charter, or to bonds which may be issued by any company to which the Great Northern Railway Company shall transfer and assign their rights in the said contract, as provided by clause 8 thereof, provided that such company be approved of by the Commissioners and the said bonds be special bonds known as 'Quebec Grain Elevator Bonds.'

4. Inasmuch as the Company has contracted for the construction of an elevator designed for the unloading of grain brought by rail, but capable, with the addition of certain conveyors and galleries in excess of those now provided by the contract, of elevating grain from barges and other river craft, it is agreed that the provisions of the contract of the 30th of June, 1899, and of the present contract, and guarantee stipulated thereby, shall apply to the elevator now contracted for, but the Commissioners shall not be obliged to guarantee bonds exceeding one hundred and seventy-five thousand dollars (\$175,000) in amount, the balance of twenty-five thousand dollars (\$25,000) of bonds to be guaranteed when the construction of a marine tower and conveyor sufficient to enable grain brought by river craft to be unloaded, shall be completed. The Company undertakes that it will proceed forthwith with the construction of a marine tower and conveyor to provide for the unloading of river craft, such marine tower and conveyor to be completed not later than the 30th August next and to be connected with the elevator. Provided, however, that the Quebec Harbour Commissioners will not be compelled to guarantee any bonds whatever unless the construction of the marine tower and conveyor within the specified time be, in their opinion, assured or completed.

Notwithstanding the dates above mentioned, the Commissioners shall have the power at their discretion, to further extend the time within which the construction of the elevator and of the marine tower and conveyor should be completed, if, in their opinion, it is advantageous to do so, and in such case the validity of this agreement and of the contract of the 30th

June, 1899, shall be maintained to all effects and purposes whatever.

5. The capacity of the elevator shall be measured by the United States standard of four-fifths of a bushel to a cubic foot.

Thus done and executed, at Quebec, on the day, month and year first above written, under the number fifteen hundred and nine of the records of Cyrille F. Delage, the undersigned notary.

In witness whereof the said parties have signed with the said notary, also subscribing, after the reading done.

(Signed) N. RIOUX.  
JAS. WOODS.  
P. GARNEAU.  
LOUIS G. SCOTT.  
CYRILLE F. DELAGE, N.P.

Copy of a resolution adopted at a meeting of the directors of the Great Northern Railway Company, held at the Company's office, Quebec, on the 14th April, 1900:—

Proposed by Jules Tessier, seconded by V. Chateauvert: That the president and the secretary be and are hereby authorized to sign and execute with the Quebec Harbour Commissioners an agreement amending the agreement of the 30th June, 1899, as to the guarantee of interest by the Commissioners of \$200,000 of bonds of the grain elevator at Quebec, and extending the time for the completion of the said elevator.

Carried.

A true extract from the minutes.

(Signed) LOUIS G. SCOTT,  
*Secretary.*

Resolution referred to in an agreement between the Quebec Harbour Commissioners and the Great Northern Railway Company passed before Cyrille F. Delage, notary, on the eighteenth day of the month of April, one thousand nine hundred, and signed by the parties hereto, *Ne varietur.*

(Signed) N. RIOUX.  
JAS. WOODS.  
P. GARNEAU.  
LOUIS G. SCOTT.  
CYRILLE F. DELAGE, N.P.

True copy.

CYRILLE F. DELAGE, N.P.

QUEBEC, March 12, 1900.

Extract from the minutes of the Quebec Harbour Commissioners of date of 12th of March, 1900.

RESOLVED,—That the chairman or acting chairman and the secretary-treasurer are hereby authorized to sign the modifications

cations to the deed of agreement of guarantee of interest for the construction of a grain elevator, said guarantee given by the Quebec Harbour Commissioners to the Great Northern Railway Company, by a deed passed before E. J. Angers, notary, on the 30th of June, 1899, and ratified by Act of Parliament of Canada, 62-63 Victoria, chapter 35, on the 11th of August, 1899, the said modifications being embraced in the clauses 1, 2, 3, 4 and 5 of the present deed and provided that the allowances of the said modifications to the deed of the 30th of June, are to be contingent upon the Act 62-63 Victoria, chapter 35, being so amended as to preserve to the \$350,000 of bonds that were then authorized by the Act 61 Victoria, chapter 48, their preferential rank as set forth in the said deed of the 30th of June, 1899.

The modifications to deed of 30th of June, 1899, subject to ratification by the Parliament of Canada.

Resolution referred to in an agreement between the Quebec Harbour Commissioners and the Great Northern Railway Company passed before Cyrille F. Delage, Notary, on the eighteenth day of the month of April, nineteen hundred, and signed by the parties hereto, *Ne varietur*.

(Signed) N. RIOUX.  
JAS. WOODS.  
P. GARNEAU.  
LOUIS G. SCOTT,  
CYRILLE F. DELAGE, N.P.

True copy.

CYRILLE F. DELAGE, N.P.





## 63-64 VICTORIA.

### CHAP. 117.

#### An Act respecting the River St. Clair Railway Bridge and Tunnel Company.

[Assented to 7th May, 1900.]

**W**HEREAS the Canada Southern Railway Company and Preamble. the provisional board of directors of the River St. Clair Railway Bridge and Tunnel 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 2 of chapter 70 of the statutes of 1882 is repealed, and the River St. Clair Railway Bridge and Tunnel Company is authorized to construct, maintain, and use a railway bridge across or a tunnel under the River St. Clair, as may be found most suitable for railway purposes, from some point in the township of Moore, in the county of Lambton, towards the city of St. Clair, in the state of Michigan, subject, however, to the provisions contained in the Acts relating to the said Company. 1882, c. 70, s. 2 repealed  
Power to construct a bridge.

**2.** The times limited for the commencement and completion of the works of the River St. Clair Railway Bridge and Tunnel Company are extended for two years and five years respectively from the passing of this Act; and if the works are not so commenced and completed, then the powers granted by the Acts respecting the said Company and by this Act shall be null and void as respects so much of the said works as then remains uncompleted. Time extended.

**3.** Henry B. Ledyard shall be a provisional director of the said Company in the place and stead of James Tillinghast, deceased; and Frederick W. Vanderbilt shall be a provisional director of the said Company in the place and stead of Cornelius Vanderbilt, deceased. Provisional directors.







## 63-64 VICTORIA.

### CHAP. 118.

#### An Act to incorporate the Royal Marine Insurance Company.

[Assented to 14th June, 1900.]

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

**1.** John W. Molson, John E. Riley, Matthew James Farrell Incorporation. and Thomas Harling, 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 Royal Marine Insurance Company,” hereinafter Corporate name. called “the Company.”

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

**3.** The capital stock of the Company shall be two hundred Capital stock. and fifty thousand dollars divided into shares of one hundred dollars each.

**2.** The directors may, after the whole capital stock has been Increase of capital. subscribed and fifty per cent paid thereon in cash, increase the capital stock, from time to time, to an amount not exceeding five hundred thousand dollars; but the stock shall not be increased

increased until a resolution of the board of directors authorizing such increase has been submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for that purpose.

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.

Branches.

First general meeting.

**5.** As soon as fifty thousand dollars of the capital stock have been subscribed, and ten per cent of the amount subscribed paid in to 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 postpaid to the last known address of each shareholder.

Election of directors.

**2.** At such meeting and at each annual 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 directors, which shall consist of not less than five nor more than nine 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 twenty 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.

**6.** 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 thirty-seven thousand five hundred 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 shall not be less than ten per cent upon the amount subscribed by such shareholder.

When business may be commenced.

Ocean marine insurance business.

**7.** 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 foreign port, or from 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 all or 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.

**8.** 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.

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

**10.** 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 of the same, but such real estate shall not exceed, at any time, the annual value of five thousand dollars. Real property.

**11.** 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 countersigned 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.

**12.** The Company may carry on the business of inland marine insurance, as defined in section 2 of *The Insurance Act*, upon complying with the provisions of the said Act, which shall thereupon apply to the Company. Inland marine insurance.

**13.** 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.

Act to expire  
by non user of  
charter.

**14.** 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.

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most Excellent Majesty.



## 63 - 64 VICTORIA.

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### CHAP. 119.

#### An Act respecting the St. Clair and Erie Ship Canal Company.

[Assented to 14th June, 1900.]

**W**HEREAS the St. Clair and Erie Ship Canal Company has, Preamble.  
by its petition, prayed that it be enacted as hereinafter  
set forth, and it is expedient to grant the prayer of the said peti-  
tion: Therefore Her Majesty, by and with the advice and  
consent of the Senate and House of Commons of Canada,  
enacts as follows :—

1. Section 21 of chapter 128 of the statutes of 1899, being 1899, c. 128,  
the Act of incorporation of the St. Clair and Erie Ship Canal s. 21 amended.  
Company, is amended by striking out the words “eight million  
dollars” in the third line of the said section, and substituting  
therefor the words “ten million dollars.”

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most Excellent Majesty.





# 63-64 VICTORIA.

## CHAP. 120.

### An Act to incorporate the St. Lawrence Terminal and Steamship Company.

[Assented to 14th June, 1900.]

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

**1.** Hiram A. Hodge and Frank D. White, of Rutland, in Incorporation. the state of Vermont, one of the United States of America; George C. Dessaulles, of the city of St. Hyacinthe, and G. Hugh Semple, of the city of Montreal, in the province of Quebec, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The St. Lawrence Terminal and Steamship Company," hereinafter called "the Company." Corporate name.

**2.** The Company may—

(a.) construct, acquire, charter, hold and navigate steamships, sailing vessels and all other kinds of craft, including tugs and barges, for the carrying and conveyance of passengers, goods and merchandise between the ports of Canada, and to and from the ports of Canada and the ports of all other countries; and may carry on the business of elevating grain, Elevators, etc. of common carriers of passengers and goods, and of forwarders, wharfingers, warehousemen and shipbuilders; and may sell Sale and mortgage of vessels, etc. and dispose of the said vessels or any of them, and grant and consent to bottomry or other bonds on the same; and may mortgage the property of the Company, or any part thereof, when deemed expedient; and may make and enter into contracts and agreements for carrying out the said purposes of the Company or any of them;

(b.) for the purposes of the undertaking, and subject to the approval of the Railway Committee of the Privy Council, construct and operate such railway sidings, switches or spur Railway sidings, etc. lines,



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 the Parliament of Canada ;

Lands and buildings.

(c.) construct, acquire, lease, hold and enjoy, either in the name of the Company or of trustees for the benefit of the Company, lands, wharfs, piers, docks, warehouses, elevators, offices, and such other terminal facilities, buildings and works as are necessary or convenient for the purposes of the Company, and may lease, mortgage, sell and dispose of the same ;

The same.

(d.) construct, aid in and subscribe towards the construction, maintenance and improvement of terminals, harbours, channels, wharfs, piers, docks, dock-yards, roads, warehouses, elevators and such other terminal facilities, buildings and works as are necessary or convenient for the purposes of the Company, and lease, sell and dispose of its interests in the same ;

Lightering.

(e.) construct, acquire, lease, hold and enjoy all machinery and appliances designed for the lightering of steam or other vessels, and lease, sell and dispose of the same ;

Easements, etc.

(f.) acquire any easements and rights of way necessary for the purposes of the Company ;

Letters patent.

(g.) acquire any exclusive or lesser rights in letters patent, patent rights, or privileges in connection with the business of the Company, and lease, sell and dispose of the same.

Charges for storage, etc.

**3.** The Company may charge on all property placed with them, or in their custody, such fair remuneration as may be fixed by the directors for storage, warehousing, wharfage, dockage, cooperage, or any other care or labour in and about any such property on the part of the Company, over and above the regular freight and primage upon such property carried by it, and which they are hereby authorized to charge rates and tolls for.

Recovery of charges.

**4.** The Company may recover all charges and moneys paid or assumed by them subject to which goods come into their possession, and, without any formal transfer, shall have the same lien for the amount thereof as the persons to whom such charges were originally due had upon such goods while in their possession ; and the Company shall be subrogated, by such payment, to the rights and remedies of such persons for such charges.

Lien.

Sale of goods for charges due.

**5.** In the event of non-payment of freight, advances and other charges when due upon goods or property in the possession of the Company, or under its control, the Company may sell at public auction the goods whereon such advances and other charges have been made, and may retain the proceeds of the sale or so much thereof as is due, together with the costs and expenses incurred in and about such sale, returning the surplus, if any, to the owner of such goods or property ; but before any such sale takes place, thirty days' notice of the time and place of such sale and of the amount of

Right of retention.

the charges or moneys payable to the Company in respect of such goods or property, shall be given by registered letter, transmitted through the post office to the last known address of the owner of any such goods or property; provided that perishable goods or effects may be sold after the expiration of one week, or sooner if necessary, unless otherwise provided in the contract between the parties.

Notice of sale.  
Proviso: as to perishable goods.

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

Negotiable instruments.

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

Capital.

8. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company, and three of such provisional directors shall be a quorum, and they may forthwith open stock books, procure subscriptions of stock, make calls on stock subscribed, and receive payment thereof, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed or otherwise on account of the Company, and shall withdraw the same for the purposes of the Company only.

Provisional directors.

9. The head office of the Company shall be at Montreal, in the province of Quebec, or such other place in Canada as the Company may determine by by-law.

Head office.

10. So soon as fifty per cent of the capital stock of the Company has been subscribed, and ten per cent thereof paid in, or within three months thereafter, the provisional directors shall call a meeting of the shareholders of the Company at the place where the head office is situate, at such day and hour as they think proper, giving at least ten days' notice thereof by publishing the same in a newspaper in the place where the head office of the Company is situate, at which meeting the subscribers for capital stock assembled who have paid in ten per cent of the amount of stock subscribed for by them shall choose from five to eleven persons to be directors of the Company, and no person shall be elected or continue a director unless he is a shareholder owning the amount of stock required by the by-laws of the Company to qualify him as a director, and has paid all the calls due thereon.

First general meeting.  
Notice.  
First directors.  
Qualification.

Directors.

**11.** At each annual general meeting the shareholders assembled who have paid all calls due on their stock, shall choose from five to eleven persons to be the directors of the Company; and a majority of such directors shall be a quorum.

Quorum.

Preference stock.  
1899, c. 40.

**12.** The directors may, by by-law, issue up to one-half of the capital stock as preference stock.

2. The provisions of chapter 40 of the statutes of 1899 shall be applicable to the said preference stock and the issue thereof.

Borrowing powers

**13.** The directors may, whenever authorized by a by-law for that purpose approved by the votes of the holders of at least two-thirds in value of the subscribed stock of the Company, present or represented by proxy at a special meeting called for considering such by-law, borrow such sum of money, not exceeding in amount seventy-five per cent of the paid-up capital stock of the Company, as the shareholders deem necessary, and may issue bonds or debentures in sums of not less than one hundred dollars each, at such rate of interest and payable at such times and places, and secured in such manner, by mortgage or otherwise, upon the whole or any portion of the property and undertaking of the Company, as may be prescribed in such by-law or decided upon by the directors under the authority thereof. The Company may make such provision respecting the redemption of such securities as may be deemed proper.

Issue of bonds.

Redemption of securities.

Issue of paid-up stock.

**14.** The directors may make and issue, as paid-up and un-assessable stock, shares of the capital stock of the Company in payment of and for all and any of the businesses, franchises, undertakings, properties, rights, powers, privileges, letters patent, contracts, real estate, stock, assets and other property of any person, company or municipal corporation which it may lawfully acquire in virtue of this Act; and may allot and hand over such shares to any such person, company or municipal corporation; and may also issue as paid-up and unassessable stock, shares of the Company, and may allot and hand over the same in payment for the right of way, lands, rights, plant, letters patent of invention, rolling stock or materials of any kind.

Non-liability of holders.

2. Any such issue and allotment of stock shall be binding on the Company, and such stock shall not be assessable for calls, nor shall the holders thereof be liable in any way thereon; and the Company may pay for any such property wholly or partly in debentures, as to the directors may seem proper.

Increase of capital.

**15.** After the whole of the capital stock hereby authorized has been issued, and fifty per cent thereon paid up, the capital stock of the Company may be increased from time to time to an amount not exceeding five million dollars, by a resolution of the shareholders passed and approved of by the votes of the holders of at least two-thirds in value of the subscribed stock of the Company, present or represented by proxy

at a special general meeting of the shareholders duly called for considering the same; and such increased capital stock may be issued and shall be dealt with in the same manner as the original capital stock of the Company.

**16.** The directors may, from time to time, with the consent of a majority of the shareholders present or represented by proxy at a meeting called for such purpose, issue debenture stock, which shall be treated and considered as a part of the regular debenture debt authorized by section 13 of this Act, in such amounts and manner, on such terms and bearing such rate of interest as the directors from time to time think proper, but subject to the limitations in this Act provided, so that the amount borrowed on the security of debenture bonds and debenture stock shall not in the whole exceed seventy-five per cent of the paid-up capital stock of the Company.

Debenture  
stock.

Limitation  
of issue.

**17.** The debenture stock to be issued under the authority of this Act shall rank equally with the debentures issued or to be issued by the Company, and the holders thereof shall not be liable or answerable for any debt or liabilities of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by holders of ordinary debentures of the Company.

Ranking.

**18.** The Company shall cause entries of the debenture stock from time to time created, to be made in a register to be kept for that purpose at the head office, wherein shall be entered the names and addresses of the several persons from time to time entitled to the debenture stock, with the respective amounts of the stock to which such persons are respectively entitled; and the 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 therefor.

Registration.

Inspection of  
register.

**19.** All transfers of the debenture stock of the Company shall be registered at the head office of the Company, but the Company may have transfer books of such debenture stock in Great Britain and Ireland or elsewhere, in which books transfers of the said stock may be made; but all such transfers shall be entered in the book to be kept at the head office of the Company.

Transfers.

**20.** The Company shall, if required, deliver to every holder of debenture stock a certificate stating the amount of the debenture stock held by him and the rate of interest payable thereon; and all regulations and provisions for the time being applicable to certificates of shares of the capital stock of the Company

Certificates of  
debenture  
stock.

Company shall apply, *mutatis mutandis*, to certificates of debenture stock.

Security deeds.

**21.** The Company may, from to time, secure any of the bonds or debentures of the Company by a mortgage or deed of trust, in favour of a trustee for the bondholders or debenture holders, covering all or any of its property, whether real, personal or mixed, and including any ships or shares therein, or securities, powers, rights, or franchises owned or enjoyed by it at the date of such mortgage or deed of trust.

Grants and bonuses.

**22.** The Company may receive from any Government or from any person, or body corporate, municipal or politic, who has power to make or grant the same, in aid of the construction, equipment and maintenance of the works and undertakings of the Company, grants of land and hereditaments, loans, gifts of money, guarantees and other securities for money, and may hold and alienate the same.

R.S.C., c. 118.

**23.** Sections 7 and 18 of *The Companies Clauses Act* shall not apply to the Company.

Limitation of time for commencing business.

**24.** If the Company does not bona fide commence business under the provisions of this Act within two years from the passing of this Act, this Act shall then be null and void and of no effect.

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



## 63-64 VICTORIA.

### CHAP. 121.

An Act to confer on the Commissioner of Patents certain powers for the relief of the Servis Railroad Tie Plate Company of Canada, Limited.

[Assented to 7th July, 1900.]

**W**HEREAS the Servis Railroad Tie Plate Company of Preamble.  
Canada, Limited, of Moncton, New Brunswick, has, by its petition, represented that on or about the thirtieth day of June, one thousand eight hundred and eighty-seven, it purchased from the Servis Railroad Tie Plate Company of New York, and became the holder and owner of letters patent issued under the seal of the Patent Office as number twenty thousand five hundred and sixty-six, for new and useful improvements on wear plates for railroad ties, which patent was issued on the twelfth day of November, one thousand eight hundred and eighty-four, for a term of fifteen years from the said date; and whereas, after the issuing of the said letters patent, *The Patent Act* was amended by chapter 24 of the statutes of 1892, which limited the duration of letters patent of invention to the term of eighteen years; and whereas the said company has represented that it has expended large sums of money in purchasing the patent rights from the original patentee of the said invention, and has expended large sums of money and much time and labour and has used all due diligence in endeavouring to introduce the said invention to the public and to bring it into general use on the railways of the Dominion, but that, without fault or neglect, it has failed to obtain from the use and sale of said invention a reasonable remuneration for the money, time and labour bestowed upon it and upon its introduction into public use; and whereas, unless some extension or renewal of the said patent is granted, the said company will suffer great loss and injury and will wholly lose the money, time and labour expended in endeavouring to bring the said invention into public use; and whereas the said company has by its petition prayed that the said patent be renewed or extended for a further term of six years from the twelfth day of November, one thousand eight hundred and ninety-nine, or for such further or other term as may be just and reasonable in the premises, and it is expedient

expedient to grant the prayer of the said petition : Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Commissioner  
of patents  
may extend  
duration of  
letters patent.

**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 the Servis Railroad Tie Plate Company of Canada, Limited, the application for a certificate of payment and the usual fee required for the term of three years, and may grant and issue to the said company the certificate of payment of fees provided by *The Patent Act* and an extension of the period of the duration of said letters patent to the full term of three years from the twelfth day of November, one thousand eight hundred and ninety-nine ; and upon payment of the said fees and receiving the said certificate the said letters patent are hereby extended and renewed and declared to be in force for a term of three years from the twelfth day of November, one thousand eight hundred and ninety-nine.

Rights of  
third persons  
saved.

**2.** Any person who has, within the period between the twelfth day of November, one thousand eight hundred and ninety-nine, and the extension hereunder of the said letters patent, acquired by assignment, user, manufacture or otherwise any interest or right in respect to such patented article or improvement shall continue to enjoy the same as if this Act had not been passed, and the extension of the said letters patent shall not prejudice any such right or interest so acquired.

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



## 63-64 VICTORIA.

### CHAP. 122.

#### An Act respecting the Toronto Hotel Company.

[Assented to 7th July, 1900.]

**W**HEREAS the Toronto Hotel Company was incorporated Preamble  
by chapter 110 of the statutes of 1899 of the province of  
Ontario; and whereas by the said statute certain powers were  
conferred upon corporations other than the said company; and  
whereas doubts have arisen as to the validity of the said statute  
with respect to such of the said corporations as are subject to  
the jurisdiction of the Parliament of Canada, and it is expedient  
to remove such doubts; and whereas the Toronto Hotel Com-  
pany has, by its petition, prayed that it be enacted as herein-  
after set forth, and it is expedient to grant the prayer of the  
said petition: Therefore Her Majesty, by and with the advice  
and consent of the Senate and House of Commons of Canada,  
declares and enacts as follows:—

**1.** Any financial, trading, or commercial corporation subject Powers grant-  
ed to certain  
corporations.  
to the jurisdiction of the Parliament of Canada which carries  
on business in the city of Toronto within one mile from the  
site of the building proposed to be erected by the Toronto  
Hotel Company, and which has or hereafter shall become a  
subscriber to the agreement, a copy whereof, marked schedule  
“A,” is appended to chapter 110 of the statutes of 1899 of Ont., 1899,  
c. 110.  
the province of Ontario, is hereby declared to have been and  
to be empowered to subscribe and become a party to the said  
agreement; but, in the case of any such corporation so sub-  
scribing, whether before or after the passing of this Act, if the  
assent of its shareholders, or of any proportion of them, would  
otherwise have been necessary to validate such subscription,  
the approval of such subscription by a majority of the votes of  
the shareholders present or represented by proxy at the annual  
meeting, or at a special general meeting shall be requisite in  
order to bind the corporation as a party to the said agreement:  
Provided always, that the annual amount subscribed or to be  
subscribed by any one such corporation shall not exceed the Consent of  
shareholders.  
sum of two thousand five hundred dollars. Proviso:  
subscription  
limited.



## SCHEDULE.

## STATUTES OF ONTARIO, 1899, CHAPTER 110.

An Act to incorporate the Toronto Hotel Company.

WHEREAS William Rees Brock, William Henry Beatty, Hugh N. Baird, William Henry Brouse, Duncan Coulson, L. J. Forget, George Gooderham, Edward Gurney, John Hoskin, Andrew S. Irving, Robert Jaffray, Æmilius Jarvis, Simeon Heman Janes, Albert E. Kemp, John Woodburn Langmuir, Wilmot D. Matthews, Samuel Nordheimer, John Herbert Mason, Edmond B. Osler, James H. Plummer, Elias Rogers, Frederick Wyld, Byron E. Walker and Daniel R. Wilkie have petitioned for an Act to incorporate the petitioners as a company to be called The Toronto Hotel Company, with all such powers as to acquiring and holding lands and carrying on the business of a hotel as may be properly incidental or necessary for such company, and to confirm an agreement made between the persons, firms and corporations who are or may become subscribers for the stock or other securities of the said company and George Gooderham, Edward Gurney, and Æmilius Jarvis respecting the promotion and formation of the said company, and to enable corporations to become parties to such agreement and for such other purposes as may be incidental thereto; and whereas the proposed basis of incorporation of the said company appears to be exceptional and such as could not be embodied in a charter of incorporation under the provisions of *The Ontario Companies Act*; and whereas it is expedient to grant the prayer of the said petition:—

Therefore Her Majesty by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

1. The said several persons are hereby constituted and declared to be a body corporate under the name of The Toronto Hotel Company.

2. *The Ontario Companies Act* (Chapter 191 Revised Statutes of Ontario) shall apply and relate to the said company as if the several provisions thereof were incorporated herein, excepting sections 9, 10, 12, 14, 15, 23, 24, 98, 99 and 101.

3. The said company shall have power to acquire and hold real estate in the said city of Toronto as they may require from time to time for the purposes of a hotel, and to erect buildings thereon and to carry on the business of a hotel, and also to grant leases of such real estate for hotel purposes and of portions thereof for such other purposes as may be convenient or desirable and all such powers as may or shall be properly incidental or necessary for such company and concurrently therewith all powers conferred by *The Ontario Companies Act*.

4. The capital of the said company shall be \$1,500,000 and shall be divided into 15,000 shares of \$100 each.

5. The number of directors of the said company shall be as the by-laws of the company shall fix from time to time, but not less than five.

6. The first directors of the company shall be William Rees Brock, William Henry Beatty, Hugh N. Baird, Duncan Coulson, L. J. Forget, George Gooderham, Edward Gurney, John Hoskin, Andrew S. Irving, Robert Jaffray, Albert E. Kemp, John Woodburn Langmuir, Wilmot D. Matthews, John Herbert Mason, Edmond B. Osler, Byron E. Walker, Daniel R. Wilkie, and Frederick Wyld.

7. The directors (as well before as after the meeting of the shareholders) may pay, or agree to pay, in paid-up stock or in bonds of the said company, or in both, such sums as they may deem expedient to engineers or contractors or for purchase of land or material or plant or the construction or equipment of their buildings and works or any part thereof, and also for the services of promoters or other persons who may be employed by the directors for the purpose of assisting the directors in the furtherance of the undertaking and for any purpose mentioned in the agreement set out in the schedule hereto.

8. The directors shall have power to issue bonds and secure the same as provided for in the agreement set out in the schedule hereto, and any further sanction of the shareholders shall not be requisite thereto.

9. The agreement respecting the promotion and formation of said company and otherwise in respect thereof, a copy whereof is appended hereto, and marked as Schedule A, is hereby confirmed and declared to be valid and binding on all persons, firms and corporations who have become, or shall hereafter become, parties thereto, according to the tenor thereof, or to the like effect.

#### SCHEDULE A.

(Section 9.)

THE TORONTO HOTEL COMPANY.—CAPITAL \$1,500,000.

*Provisional Directors:* William Rees Brock, William Henry Beatty, Hugh N. Baird, Duncan Coulson, L. J. Forget, George Gooderham, Edward Gurney, John Hoskin, Andrew S. Irving, Robert Jaffray, Albert E. Kemp, John Woodburn Langmuir, Wilmot D. Matthews, John Herbert Mason, Edmond B. Osler, Byron E. Walker, David R. Wilkie and Frederick Wyld.

*Trustees:* The Toronto General Trusts Company and The National Trust Company, of Ontario, Limited.

Agreement made this eleventh day of January, one thousand eight hundred and ninety-nine, between the several persons, firms and corporations whose names are hereunto subscribed, hereinafter called the subscribers of the first part, and George Gooderham, Edward Gurney and Æmilus Jarvis, all of the city of Toronto, of the second part.

Whereas the said Æmilius Jarvis has been engaged in promoting the formation of a company for the purchase of land and the erection of a first-class hotel in the city of Toronto; and whereas the subscribers hereto have agreed with the said George Gooderham, Edward Gurney and Æmilius Jarvis to subscribe for stock and mortgage bonds of the company as hereinafter provided:—

Now therefore this indenture witnesseth that the said subscribers, for themselves and their respective executors and administrators or successors severally, in consideration of the promoting of the said enterprise, agree with the said George Gooderham, Edward Gurney and Æmilius Jarvis, their executors, administrators and assigns, that upon the said company being incorporated and upon a resolution being passed by the directors declaring that in their opinion the company is in a position to effectually proceed with the said enterprise, they will pay to them or to their assigns yearly, for the period of twenty years from the first day of January, 1899, the annual sum set out in the appendix hereto executed by each subscriber respectively, the first of such payments to be made in fifteen days after the passing of the said resolution, and the subsequent payments on the second day of July in each year, commencing on the second day of July, 1900.

Upon the said company being incorporated and a resolution passed by the directors as above mentioned, the said George Gooderham, Edward Gurney and Æmilius Jarvis shall assign the said several subscriptions or agreements to the said company.

And it is hereby agreed that the company shall be incorporated and its stock and bond issues arranged, and the other affairs of the company settled in the following general manner, subject to such changes as may be found expedient and be agreed to by a majority of two-thirds in value of the subscribers hereto present, in person or by proxy, at any meeting called by notice to each subscriber, mailed to his address, or supposed address, at least five days before the time appointed for such meeting.

The capital stock of said company to be one million five hundred thousand dollars, of which a sufficient number of fully paid-up shares (not exceeding ten shares to each one) are to be issued to persons named as directors of the company prior to the first meeting of shareholders, to enable such persons to qualify as such directors.

The purchase of the land and erection of a hotel thereon and furnishing thereof, and other expenses and outlays which may be requisite to be made in promoting and carrying out the said enterprise, to be provided for by the issue of mortgage bonds of the company so to be formed, the same to be payable in twenty years, with interest at such rates as may be fixed by the directors, and to be secured by a mortgage or mortgages to trustees of the real and personal property (including future

earnings and avails) of the said company, or such parts thereof as the directors may determine, and to be further secured by transfer to trustees of the subscription and agreement of each subscriber hereto to make the annual payments therein mentioned, the amount of bonds so to be issued to be such as may be necessary to provide or produce sufficient funds for the purposes aforesaid, the moneys provided by such annual payments to be applied (after paying thereout the fees and expenses of the said trustees) firstly, in paying the interest of the said bonds, if and so far as the net income of the company may be insufficient therefor, and then any surplus thereof in taking up or paying off such bonds to such amount or extent as may be practicable to be selected by lot.

If the directors of the company find it expedient, they may divide the issue of the said bonds into two or more classes or series, with such priorities as they may deem advisable, and with such separation of the said securities and appropriation thereof or of the separate parts or items thereof, to such classes or series of bonds respectively, all of which classes or series, if created, shall be together included in the expression "original mortgage debt" hereinafter.

For each payment made by each subscriber hereto, his or their executors and administrators or successors and assigns, there shall be issued to him or them shares of the capital stock of the company to an amount equivalent to such payment, which payment shall be treated as a payment for such stock, and in full of all liability thereon.

In consideration (besides the payments herein mentioned) of the subscribers waiving any claim to dividend in capital stock, as hereinafter provided, there shall be issued to each subscriber, his or their executors, administrators or successors and assigns, in addition to such holding of stock, upon the completion of the full twenty annual payments by such subscriber, his or their executors, administrators or assigns, successors and assigns, but not otherwise, mortgage bonds equivalent to the total amount so paid by him and them, and to provide for such issue a mortgage bond debt shall be created to an amount not exceeding the total amount so paid. Such bonds shall be secured by mortgage to trustees of all the real and personal estate of the said company, and shall be the first charge thereon next after so much as shall remain unpaid of the said original mortgage debt, if any. Such mortgage bonds shall be payable at such dates, and shall bear such rates of interest as the shareholders of the company shall determine. In the event of the entire issue of original mortgage bonds being retired, in the manner herein provided, at or before the end of twenty years, then first mortgage bonds shall be issued to the subscribers in like manner as the second mortgage bonds would have been, as above provided, and in lieu thereof.

Any subscriber, his or their executors, administrators or successors and assigns, shall be at liberty to pay off the said annual payments at any time before maturity at the then

present value of such yearly payments, actuarially determined on the basis of interest compounded at the rate of four per cent per annum, and upon making such payment shall be entitled to receive forthwith shares to the full amount of the said annual payments, irrespective of the said allowance for prepayment, and to receive at the end of the said period of twenty years bonds for the total amount of his or their annual payments, also irrespective of the said allowance for prepayment.

The net income of the said company (after payment of all proper expenditures and outlays) is to be paid in every year to the trustees for the bondholders. The money so paid to the said trustees shall be applied in the same manner and for the same purposes as the said annual payments, as herein provided.

No dividends shall be paid on the capital stock of the company until at least fifty per cent of the original mortgage debt shall have been paid off.

The trustees for bondholders shall be The Toronto General Trusts Company and the National Trust Company, of Ontario, Limited, jointly.

The first directors of the said company shall be William Rees Brock, William Henry Beatty, Hugh N. Baird, Duncan Coulson, L. J. Forget, George Gooderham, Edward Gurney, John Hoskin, Andrew S. Irving, Robert Jaffray, Albert E. Kemp, John Woodburn Langmuir, Wilmot D. Matthews, John Herbert Mason, Edmond B. Osler, Byron E. Walker, David R. Wilkie and Frederick Wyld.

Application shall be made to the Legislature for an Act to confirm this agreement, and to give all powers and authorities which may be necessary or desirable for carrying out the general purposes and intention of this agreement, and all things incidental thereto.

#### APPENDIX.

agree  
with George Gooderham, Edward Gurney and Æmilius Jarvis,  
their executors, administrators and assigns, to pay to them the  
annual sum of \_\_\_\_\_ dollars  
in accordance with the terms and provisions of the foregoing  
agreement,

As witness \_\_\_\_\_ hand and seal this  
day of \_\_\_\_\_ 1899.

Witness :



## 63 - 64 VICTORIA.

### CHAP. 123.

An Act to enable the city of Winnipeg to utilize the Assiniboine River water power.

[Assented to 7th July, 1900.]

**WHEREAS** the city of Winnipeg has, by its petition, prayed Preamble. that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The city of Winnipeg may use and make available the water power of the Assiniboine River for supplying the said city with water and light, and may construct all necessary works therefor, and may use or lease such surplus portions of the said water power, as from time to time are not needed for supplying the said city with water and light, for such other purposes as the city has authority for, under the statutes in force from time to time relating to the said city. Use of water power and construction of works.

**2.** No work for utilizing or rendering available the water of the said river for the purposes aforesaid shall be commenced or proceeded with until the said city has submitted to the Governor in Council plans of the said works and of all the intended works thereunto appertaining, nor until the plans and the site of the said works have been approved of by the Governor in Council and such conditions as he thinks fit to impose for securing the free navigation of the said river and the public good have been complied with; nor shall any such plan be altered or any deviation therefrom be allowed, except by the permission of the Governor in Council and upon such conditions as he imposes. Approval of Governor in Council.

**3.** The plans and site of the said works may be approved of by the Governor in Council without making provision for the construction of a lock or other works for the purposes of navigation. Construction of lock may be dispensed with.

**4.** The Governor in Council may, from time to time, notwithstanding the approval of any plans or works, require the same to be altered or other works to be added or substituted. Alteration may be required by Governor in Council.

so as to make the works effective for the purposes intended and so as to protect as far as possible the public interest and the free navigation of the river and the rights which may be affected by the exercise of the powers conferred by this Act.

Rights preserved.

**5.** Nothing herein contained shall be construed to limit or interfere with, without compensation, the rights of any person or corporation whose property may be injuriously affected by the exercise of any of the powers conferred by this Act.

Time for construction limited.

**6.** The works hereby authorized shall be commenced within three years, and completed within six years, from the passing of this Act, otherwise the rights and powers hereby granted shall cease and be null and void.

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## 63-64 VICTORIA.

### CHAP. 124.

#### An Act respecting the Yarmouth Steamship Company, Limited.

[Assented to 14th June, 1900.]

**WHEREAS** the Yarmouth Steamship Company, Limited, Preamble.  
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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** Section 9 of chapter 95 of the statutes of 1886, incorporating the Yarmouth Steamship Company, Limited, hereinafter called "the Company," is amended by substituting the word "five" for the word "three" in line two, and the word "three" for the word "two" in line three. 1886, c. 95, s. 9 amended.

**2.** Section 14 of the said Act is amended by striking out the words "the managing director or" in line seven. Section 14 amended.

**3.** Section 15 of the said Act is amended by substituting the word "fifteen" for the word "two" in line three, and the word "either" for the word "any" in line nine, and by striking out the words "and a managing director (who may be either the president or the vice president)" in lines five, six and seven. Section 15 amended.

**4.** A special general meeting of the shareholders of the Company shall be held not later than six weeks after the passing of this Act, of which meeting notice shall be given as provided in section 17 of the said Act; at such meeting the shareholders present or represented by proxy shall elect five persons to be directors of the Company, who shall hold office until the next annual meeting of the Company. Election of directors.

**5.** The present board of directors shall hold office until the meeting mentioned in section 4 of this Act, but shall be eligible for re election as directors. Tenure of office of present board.



Appointment  
of manager.

**6.** The directors elected under the provisions of section 4 of this Act and their successors shall from time to time appoint a manager of the Company, who may be the president, the vice president, a director or a shareholder.

Section 20  
amended.

**7.** Section 20 of the said Act is amended by striking out the words "the managing director of the Company" in lines six and seven.

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## 63 - 64 VICTORIA.

### CHAP. 125.

#### An Act for the relief of Edwin James Cox.

[Assented to 14th June, 1900.]

**W**HEREAS Edwin James Cox, of the city of Montreal, Preamble.  
engraver, has, by his petition, set forth that on the second day of April, one thousand eight hundred and seventy-nine, at the city of Montreal, in the district of Montreal and province of Quebec, he was lawfully married to Maretta Ann Westgate, then of the said city of Montreal, spinster; that they cohabited together as husband and wife until in or about the month of January, one thousand eight hundred and ninety-four, and had issue of the said marriage four children, all of whom are living; that in the month of January, one thousand eight hundred and ninety-four, she deserted him and was guilty of adultery; and that she has ever since continued to live apart from him and has committed other acts of adultery; 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The said marriage between the said Edwin James Cox Marriage dissolved. and Maretta Ann Westgate, his wife, is hereby dissolved, and shall henceforth be null and void to all intents and purposes whatever.

**2.** The said Edwin James Cox may at any time hereafter Right to marry again. marry any woman whom he might lawfully marry in case the said marriage with the said Maretta Ann Westgate had not been solemnized.





## 63-64 VICTORIA.

### CHAP. 126.

#### An Act for the relief of William Henry Featherstonhaugh.

[Assented to 7th July, 1900.]

**WHEREAS** William Henry Featherstonhaugh, of the town of Penetanguishene, in the county of Simcoe, in the province of Ontario, master mariner, has, by his petition, set forth that on the sixteenth day of September, one thousand eight hundred and seventy-eight, he was lawfully married at Penetanguishene aforesaid, to Helen Featherstonhaugh (whose maiden name was Helen Anderson); that they cohabited together as husband and wife until on or about the twenty-eighth day of July, one thousand eight hundred and eighty-five, and had issue of the said marriage four children, of whom two are still living; that on or about the said last named date the said William Henry Featherstonhaugh had reason to suspect that she was leading an irregular life, and a deed of separation was then prepared and executed by the said William Henry Featherstonhaugh and Helen Featherstonhaugh, and since that date they have lived separate and apart and have not cohabited together; that since the date of the said separation she has on divers occasions committed adultery with divers persons, and particularly during the years from one thousand eight hundred and eighty-seven to one thousand eight hundred and ninety-seven, inclusive, on divers occasions with one Frederick Measam; and whereas the said William Henry Featherstonhaugh 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 Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between the said William Henry Featherstonhaugh and Helen Featherstonhaugh, his wife, is hereby dissolved and shall henceforth be null and void to all intents and purposes whatever.

Marriage dissolved.

Right to  
marry again.

2. The said William Henry Featherstonhaugh may at any time hereafter marry any woman whom he might lawfully marry in case the said marriage with the said Helen Featherstonhaugh had not been solemnized.

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## 63-64 VICTORIA.

### CHAP. 127.

An Act for the relief of Gustavus Adolphus Kobold.

[Assented to 14th June, 1900.]

**W**HEREAS Gustavus Adolphus Kobold, of the town of Preamble.  
Rat Portage, in the district of Rainy River and province  
of Ontario, butcher, has, by his petition, humbly set forth that  
on the eleventh day of October, one thousand eight hundred  
and eighty-two, he was lawfully married to Nellie Woodbury  
Kobold, his present wife, (then Nellie Woodbury Appelby,  
spinster) that the said marriage was duly solemnized at the  
town of Cobourg, in the county of Northumberland, and pro-  
vince of Ontario, according to the rites of the Congregational  
Church in Canada; that they cohabited together as husband and  
wife until the first day of August, one thousand eight hundred  
and ninety-three; that on or about the seventeenth day of  
February, one thousand eight hundred and ninety-seven, they  
agreed, by a deed of separation in writing, to live separate and  
apart, and they have since continued to live apart from each  
other; that shortly after she separated from him as aforesaid,  
he discovered, as the fact was, that she had been living an  
irregular life and had, previous to such separation, been com-  
mitting adultery; and that she afterwards committed adultery:  
and whereas the said Gustavus Adolphus Kobold has humbly  
prayed that the said marriage may be dissolved so as to enable  
him to marry again, and that such further relief may be  
afforded to him as is deemed meet; and whereas he has proved  
the said allegations in his petition, and has established the  
adultery above mentioned, and it is expedient that the prayer  
of his said petition be granted: Therefore Her Majesty, by and  
with the advice and consent of the Senate and House of Com-  
mons of Canada, enacts as follows:—

**1.** The said marriage between the said Gustavus Adolphus Marriage  
Kobold and the said Nellie Woodbury Kobold, his wife, is dissolved.  
hereby dissolved and shall be henceforth null and void to all  
intents and purposes whatsoever.

Right to  
marry again.

2. The said Gustavus Adolphus Kobold may, at any time hereafter, contract matrimony with any other woman whom he might lawfully marry in case the said marriage with the said Nellie Woodbury Kobold had not been solemnized.

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## 63-64 VICTORIA.

CHAP. 128.

An Act for the Relief of Catherine Cecilia Lyons.

[Assented to 14th June, 1900.]

**W**HEREAS Catherine Cecilia Lyons, of the village of Tre-  
herne, in the province of Manitoba, wife of John P. Preamble.  
Lyons, of the city of Winnipeg, in the said province, bartender,  
hath by her petition set forth that on the nineteenth day of  
February, one thousand eight hundred and eighty-seven, they  
were lawfully married at the town of Portage La Prairie in  
said province of Manitoba; that there were born to them four  
children, three of whom are still living; that they cohabited  
together as husband and wife until the year one thousand eight  
hundred and ninety-four, when he committed adultery; that  
he has ever since continued to live apart from the said Catherine  
Cecilia Lyons in a state of adultery: and whereas she has  
humbly prayed that the 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 petition,  
and it is expedient that the prayer thereof be granted:  
Therefore Her Majesty, by and with the advice and consent  
of the Senate and House of Commons of Canada, enacts as  
follows:—

1. The said marriage between the said Catherine Cecilia Marriage  
Lyons and John P. Lyons, her husband, is hereby dissolved dissolved.  
and shall be henceforth null and void to all intents and pur-  
poses whatsoever.

2. The said Catherine Cecilia Lyons may at any time Right to  
hereafter marry any man whom she might lawfully marry if marry again.  
the said marriage with the said John P. Lyons had not been  
solemnized.







## 63-64 VICTORIA.

### CHAP. 129.

#### An Act for the relief of Gertrude Bessie Patterson.

[Assented to 14th June, 1900.]

**W**HEREAS Gertrude Bessie Patterson, of the Bayfield <sup>Preamble.</sup> Ranch, near the city of Calgary, in the district of Alberta, in the North-west Territories of Canada, wife of George Patterson, of the same place, rancher, has by her petition set forth, that on the eighth day of January, one thousand eight hundred and ninety, they were lawfully married at the city of Calgary aforesaid; that they cohabited together as husband and wife until in or about the month of October, one thousand eight hundred and ninety-seven, when he deserted her and has not since resided or cohabited with her; that before and after he so deserted her he committed adultery; that he has, since the month of October, one thousand eight hundred and ninety-seven, committed adultery on several occasions; and whereas she has humbly prayed that the 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 petition, and it is expedient that the prayer thereof should be granted: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

**1.** The said marriage between the said Gertrude Bessie <sup>Marriage</sup> Patterson and George Patterson, her husband, is hereby <sup>dissolved.</sup> dissolved and shall be henceforth null and void to all intents and purposes whatsoever.

**2.** The said Gertrude Bessie Patterson may, at any time <sup>Right to</sup> hereafter, marry any man whom she might lawfully marry <sup>marry again.</sup> if the said marriage with the said George Patterson had not been solemnized.



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