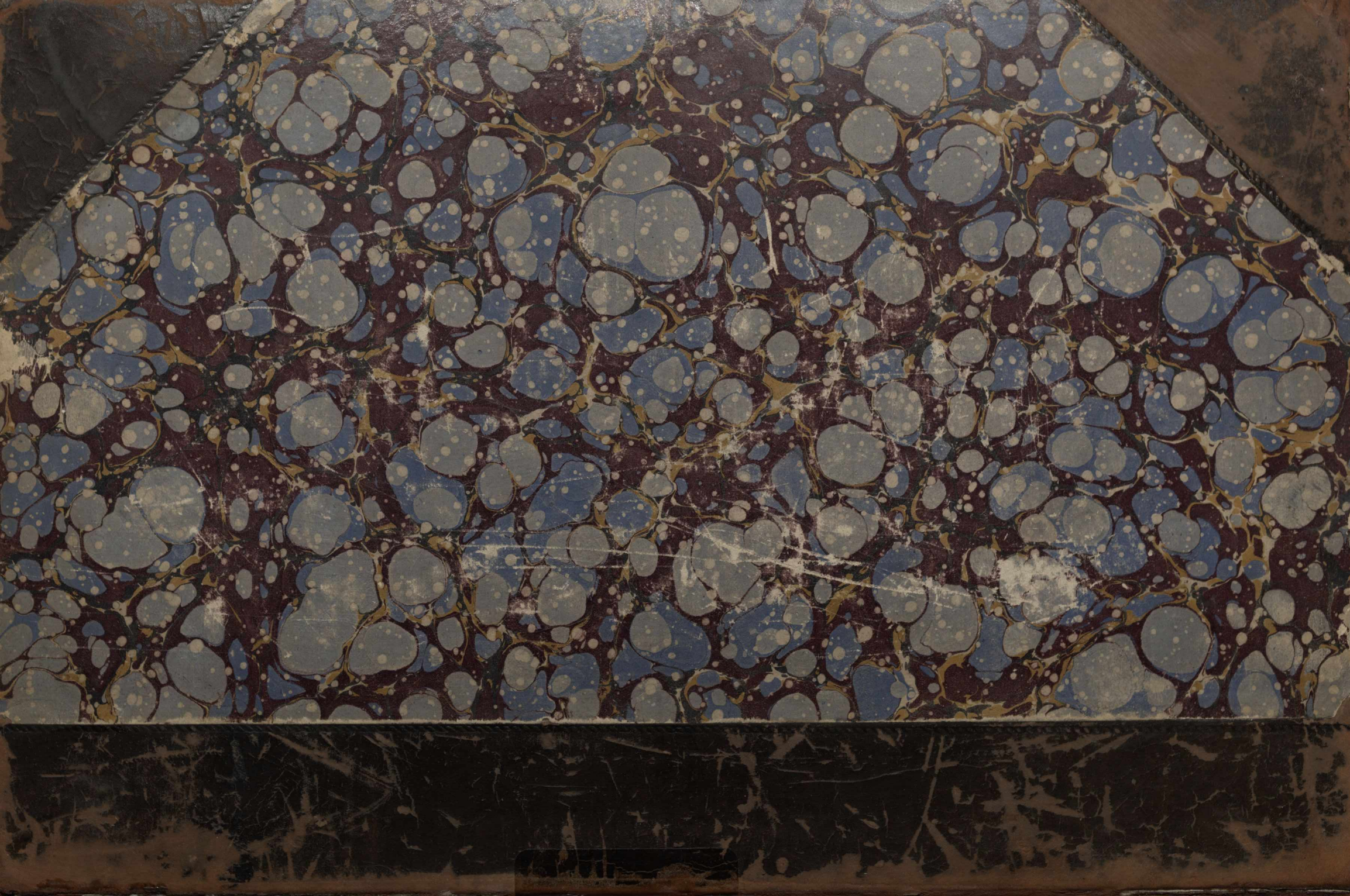

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No. 2.] **BILL.** [1906.

An Act further to amend the Dominion Elections Act, 1900.

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

1900, c. 12, new sec. 10.

1. Section 10 of the Dominion Elections Act, 1900, is repealed, and the following is substituted therefor:—

Address, date, and return of writ.

"**10**. Every writ for an election shall be addressed to such person and be dated and be returnable on such days as the Governor General determines, or as the Clerk of the Crown in Chancery determines in cases where such Clerk has authority to so determine pursuant to the Act respecting the House of Commons.

Transmission.

"2. It shall be forwarded by the Clerk of the Crown in Chancery to the person to whom it is addressed; and it shall be transmitted to such person by mail, unless the Clerk of the Crown in Chancery otherwise orders.

Form.

"3. It shall be in the form A, *mutatis mutandis*."

New sec. 11.

2. Section 11 of the said Act is repealed and the following is substituted therefor:—

Returning officers.

"**11**. The person to whom a writ is addressed, as hereinbefore provided, shall be the returning officer at the election to which such writ relates; provided always that if the person to whom the writ has been addressed refuses, or is disqualified or unable to act, the Governor General, or the Clerk of the Crown in Chancery where such person has been nominated by him, may appoint another person to be such returning officer."

Proviso.

Sections added.

3. The said Act is amended by inserting the following sections immediately after section 118:—

False statements circulated before or during election.

"**118A**. Any person who before or during an election knowingly writes, prints, publishes, posts, circulates or distributes, or causes to be written, printed, published, posted, circulated or distributed, any written or printed statement falsely purporting to be made by or on behalf of a candidate at such election, for the purpose of prejudicially affecting the election of such candidate, or of promoting or procuring the election of another candidate, is guilty of an unlawful act, and shall also forfeit the sum of two hundred dollars to any person who sues therefor, with costs.

Penalty.

Circulars and posters to bear name and address of printer and publisher.

"**118B**. Every bill, circular, placcard or poster, having reference to an election shall bear on the face thereof the name and address of the printer and publisher thereof; and any person publishing, printing, posting, circulating or distributing any

Penalty.

such bill, circular, placard or poster as aforesaid which fails to bear upon the face thereof the name and address of the printer and publisher, is guilty of an unlawful act, and shall also forfeit the sum of two hundred dollars to any person who sues therefor, with costs.''

S. 119 amended.

4. Section 119 of the said Act is amended by striking out the word ''two'' in the second line and substituting therefor the word ''four.''

S. 120 amended.

5. Section 120 of the said Act is amended by striking out the word ''twelve,'' in the first line, and substituting therefor the the word ''fourteen.''

No. 2.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act further to amend the Dominion Elections Act, 1900.

First reading, March 12, 1906.

Mr. Borden, (Carleton.)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 3.] **BILL.** [1906.

An Act further to amend the Act respecting the House of Commons.

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

1. Section 8 of the Act respecting the House of Commons, being chapter 13 of the Revised Statutes, is amended by adding thereto the following subsection:— R. S. C., c. 13, amended.

"3. In case the seat of any member of the House of Commons is vacated by any cause, if the writ for the election of a new member has not been issued within after such vacancy occurred, it shall be the duty of the Clerk of the Crown in Chancery to issue the writ forthwith—which writ shall be addressed to such person and be dated and be returnable on such days as he determines; and all courts, officers and persons shall give full effect to the writ so issued." When seat has been vacant for — days.

2. Subsection 1 of section 9 of the said Act is amended by inserting after the word "writ" in the second line thereof the words "or the said Clerk may himself, pursuant to the provisions of the next preceding section, issue a new writ." Section 9 amended. Warrant for filling vacancy.

No. 3.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act further to amend the Act respecting the House of Commons.

First reading, March 12, 1906.

MR. BORDEN,
(Carleton.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 4.] **BILL.** [1906.

An Act further to amend the Criminal Code, 1892.

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

1. The Criminal Code, 1892, is amended by adding thereto the following sections:— 1892, c. 29 amended.

"**131A.** The members of the Board of Railway Commissioners for Canada, are persons holding a judicial office withing the meaning of the next preceding section." Judicial corruption—Railway Commissioners.

"**131B.** Every one is guilty of an indictable offence and liable to years imprisonment and to a fine of not more than thousand dollars who— Consideration given for services of members of Parliament and Legislatures.

"(*a*) being a member of Parliament or of a legislature accepts, receives or obtains or agrees to accept or receive or attempts to obtain any money, compensation, loan, gift or valuable consideration directly or indirectly on account of any services rendered or to be rendered by himself or any other person upon or in respect to any question, measure, bill, matter or proceeding before Parliament or before such legislature, or before any committee of Parliament or of such legislature, or which may be brought before him in his capacity as such member, or on account of his action, vote, or decision on any such question, measure, bill, matter or proceeding, or for influencing or attempting or agreeing, or pretending to influence the action, vote or decision of any other member thereon; or

"(*b*) gives, offers or promises to any such member, or to any other person any money, compensation, loan, gift or valuable consideration on account of such services, action, vote, decision or other act aforesaid; or

"(*c*) being a member of Parliament or of a legislature accepts, receives, or obtains, or agrees to accept or receive, or attempts to obtain any money, compensation, loan, gift or valuable consideration directly or indirectly on account of any services rendered or to be rendered by himself or any other person in relation to any proceeding, contract, claim, controversy, accusation, arrest or other matter or thing in which the Government is a party or directly or indirectly interested before any minister, department, officer, commissioner, court martial or any other official or person in the employment of the Government; or

"(*d*) gives, offers or promises to any such member, or to any other person, any money, compensation, loan, gift or valuable consideration on account of any such services.

"2. The words "the Government" in this section include the Government of Canada and the Government of any province

of Canada as well as His Majesty in the right of Canada or of any province thereof.

"3. This section shall extend to any transaction or act begun or concluded during a recess of Parliament, or of a legislature, as the case may be."

Commissioners and officers of Transcontinental Railway.

"**133**A. The expression "official or person in the employment of the Government" and "official or employee of the Government" wherever used in section 133, extend to and include the Commissioners of the Transcontinental Railway and the persons holding office as such commissioners, and the engineers, officials, officers, employees and servants of the said Commissioners of the Transcontinental Railway; and the expression "the Government" wherever used in the said section extends to and includes the said Commissioners of the Transcontinental Railway."

No. 4.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act further to amend the Criminal Code, 1892.

First reading, March 12, 1906.

MR. BORDEN, (Carleton.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 5.] **BILL.** [1906.

An Act further to amend the Dominion Controverted Elections Act.

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

1. Section 5 of the Dominion Controverted Elections Act, chapter 9 of the Revised Statutes, is amended by adding thereto the following subsection:— R.S.C., c. 9, s. 5, amended.

"2. It is hereby declared for the purposes of this Act that notwithstanding anything in this Act contained no petitioner shall be deemed ineligible or disqualified to present a petition by reason of such petitioner having been guilty of any corrupt practice or practices unless the petitioner has been found guilty and convicted of such corrupt practice or practices by a court of competent jurisdiction before the presentation of the petition." Petitioner not disqualified unless he has been convicted of corrupt practices.

2. Section 12 of the said Act is amended by adding thereto the following subsection:— Section 12 amended.

"2. The commission of any corrupt practice or practices by the petitioner shall not constitute a valid preliminary objection or ground of insufficiency against the petition or petitioner or against any further proceedings thereon unless the petitioner has been found guilty and convicted of such corrupt practice or practices by a court of competent jurisdiction before the presentation of the petition." Corrupt practices by petitioner, how far valid objection.

3. Section 58 of the said Act is amended by striking out the first subsection thereof and substituting the following:— Section 58 amended.

"An election petition under this Act shall be abated by the death of the sole petitioner, or the survivor of several petitioners, or by the judgment or determination of the court or a judge under section 12 that the petitioner is ineligible or disqualified to present the petition." Abatement of petition.

No. 5.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act further to amend the Dominion Controverted Elections Act.

First reading, March 12, 1906.

MR. BORDEN,
(Carleton.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 6.] **BILL.** [1906.

An Act in amendment of The Railway Act, 1903.

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

1903, c. 58, s. 159, amended.

Notice of expropriation of lands.

1. Section 159 of the Railway Act, 1903, is amended by inserting the words "or of the opposite party" after the word "company" in the fifth line of the said section, and by inserting the words "or the Company" after the word "party" in the sixth line of the said section.

No. 6

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act in amendment of The Railway Act, 1903.

First reading, March 12, 1906.

MR. LANCASTER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 7.] **BILL.** [1906.

An Act to amend the Act respecting Certificates to Masters and Mates of Ships.

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

1. The section substituted for section 3 of the *Act respecting Certificates to Masters and Mates of Ships*, chapter 73 of the Revised Statutes, by section 4 of chapter 42 of the statutes of 1894, is amended by adding after the word "examinations" in the first line the words "upon oath," and by striking out the words "or for persons" in the second line. R.S.C., c. 7, s. 3; 1894, c. 42, s. 4, amended.

2. The said section 3 is further amended by adding the following subsections thereto:— R.S.C., c. 73, s. 3, amended.

"2. No person shall be entitled to present himself for examination for master until he has obtained a certificate of competency as mate, and has served as such for at least twelve months, and furnishes a statutory declaration of the master under whom he served of such service. Qualification of master.

"3. No person shall be entitled to present himself for examination as mate until he has served as wheelman for a period of twenty-four months, and furnishes to the examiner a statutory declaration of the master under whom he served of such service." Qualifications of mate.

3. Section 4 of the *Act respecting Certificates to Masters and Mates of Ships* is amended by adding after the word "effect" in the last line the words "but no person shall be appointed an examiner in respect to masters and mates of ships trading on the inland waters or on coasting voyages unless he himself is a competent lake navigator and has a certificate to that effect." Section 4 amended.

4. The section substituted for section 7 of the said Act by section 2 of chapter 41 of the statutes of 1891 is amended by adding after the words "boats" in the fourteenth line the words "such certificates to be conditioned to become void upon the holder thereof renouncing his allegiance to the British Crown." Section 7 amended.

5. Section 19 of the *Act respecting Certificates to Masters and Mates of Ships* is amended by adding after the word "suspended" in the second line the words "or becomes void." Section 19 amended.

No. 7.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting Certificates to Masters and Mates of Ships.

First reading, March 12, 1906.

MR. LANCASTER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 8. **BILL.** [1906.

An Act in further amendment of the Railway Act, 1903.

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

1. Section 227 of the *The Railway Act*, 1903, is amended by striking out the word "or" in the third line and substituting therefor the word "and". 1903, c. 58, s. 227 amended.

2. The said section 227 is further amended by adding after the word "expedient" at the end of the section the words "but wherever in any such portion of a city, town or village a railway crosses a highway at rail-level, the said speed of ten miles an hour shall in no event be exceeded, unless the Company provides protection at such crossing for persons using the highway against approaching trains."

No. 8.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act in further amendment of the Railway Act, 1903.

First reading, March 12, 1906.

MR. LANCASTER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 9.] **BILL.** [1906.

An Act to further amend the Railway Act, 1903.

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

1903, c. 58, s. 3 amended.

1. Section 3 of *The Railway Act*, 1903, is hereby amended by inserting after the word "persons" in the first line the words "and express companies."

Section 193 amended.

2. Section 193 of the said Act is amended by adding the following words : "and such compensation shall be limited to the direct and immediate local damages actually suffered by reason of such construction, operation and maintenance by the railway company at such stations or premises and not from any cause, matter or business extending beyond the same."

Section 264 amended.

3. Section 264 of the said Act is amended by adding thereto the following subsection :—

Passenger rates.

"4. The tolls charged in any standard passenger tariff shall not exceed two cents per mile."

No. 9.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to further amend the Railway Act, 1903.

First reading, March 12, 1906.

MR. MACLEAN,
(York.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 10.] **BILL.** [1906.

An Act to amend the Act respecting the Senate and House of Commons.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— R.S., c. 11, section added.

1. The Act respecting the Senate and House of Commons, chapter 11 of the Revised Statutes, is amended by inserting the following section immediately after section 18:— Barristers and solicitors in parliament not to practice before committee or public department.

"**18A.** No member of the Senate or House of Commons who is a barrister or solicitor shall, and no partner of any such member shall, receive or agree to receive any compensation, directly or indirectly, for services rendered, or to be rendered, to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter in which the Crown is a party, or directly or indirectly interested, before the Senate, or the House of Commons, or before a committee of either House, or before any public department, bureau, officer, or commission.

2. Every person offending against this section shall be guilty of an indictable offence, and liable to two years' imprisonment or to a fine of ten thousand dollars, and shall for years after conviction of such offence be disqualified from being a member of the Senate or House of Commons and from holding any office in the public service of Canada." Penalty.

No. 10.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the Senate and House of Commons.

First reading, March 12, 1906.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 11.] **BILL.** [1906.

An Act respecting Money-Lenders.

WHEREAS on the part of some money-lenders a practice has obtained of charging exorbitant rates of interest to needy or ignorant borrowers, and whereas it is in the public interest that the transactions of money-lenders should be controlled by limiting their rates of interest: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. This Act may be cited as *The Money-Lenders Act*, 1906. Short title.

2. The expression 'money-lender' in this Act shall include any person who carries on the business of money-lending, or advertises, or announces himself, or holds himself out in any way, as carrying on that business, and who makes a practice of lending money at a higher rate than ten per cent per annum, but does not comprise registered pawnbrokers as such. Definition. "Money-lender."

3. Notwithstanding the provisions of chapter 127 of the Revised Statutes no money-lender shall stipulate for, allow or exact on any negotiable instrument, contract or agreement, concerning a loan of money, the principal of which is under five hundred dollars, a rate of interest or discount greater than twelve per cent per annum; and the said rate of interest shall be reduced to the rate of six per cent per annum from the date of judgment in any suit, action or other proceeding for the recovery of the amount due. Interest on negotiable instruments, contracts, etc., limited to 12 per cent per annum. And to 6 per cent after judgment rendered.

4. In any suit, action or other proceeding concerning a loan of money by a money-lender the principal of which was originally under five hundred dollars, wherein it is alleged that the amount of interest paid or claimed exceeds the rate of twelve per cent per annum, including the charges for discount, commission, expenses, inquiries, fines, bonus, renewals, or any other charges, but not including taxable conveyancing charges, the court may re-open the transaction and take an account between the parties, and may, notwithstanding any statement or settlement of account, or any contract purporting to close previous dealings and create a new obligation, re-open any account already taken between the parties, and relieve the person under obligation to pay from payment of any sum in excess of the said rate of interest; and if any such excess has been paid, or allowed in account, by the debtor, may order the creditor to repay it, and may set aside, either wholly or in Powers to court for inquiry into transaction and relief of debtor. Lender to repay excess.

part, or revise, or alter, any security given in respect of the transaction.

Exception in case of negotiable instrument.

5. The *bonâ fide* holder, before maturity, of a negotiable instrument discounted by a preceding holder at a rate of interest exceeding that authorized by this Act, may nevertheless recover the amount thereof, but the party discharging such instrument may reclaim from the money-lender any amount paid thereon for interest or discount in excess of the amount allowed by this Act.

Act to apply to existing contracts.

6. The principal of any sum of money, as expressed by section 4 of this Act, due and payable before the date of the passing of this Act, in virtue of any negotiable instrument given to a money-lender or of any contract or agreement entered into with such money-lender in respect of money lent by him, shall not, from and after the said date, bear a rate of interest greater than twelve per cent per annum; and from and after the said date no rate of interest greater than six per cent per annum shall be recovered upon any judgment, rendered before the said date, upon any such negotiable instrument, contract or agreement for the payment of money lent by a money-lender, and which allows a greater rate than six per cent per annum.

And to existing judgments.

As to instruments and contracts not yet matured.

7. In the case of any such negotiable instrument made before the passing of this Act and maturing after the date of the passing of this Act, and in the case of any such contract or agreement made before the passing of this Act and to be performed after the said date, the foregoing provisions of this Act shall apply only from the date of maturity or performance as the case may be.

Act not to increase existing rate of interest.

8. Nothing in this Act shall operate to increase the rate of interest that may be recovered in any case where by law the rate is fixed at less than twelve per cent per annum.

Penalty.

9. Every money-lender is guilty of an indictable offence and liable to imprisonment for a term not exceeding one year, or to a penalty not exceeding one thousand dollars, who lends money at a rate of interest greater than that authorized by this Act.

1898, c. 6, not affected.

10. This Act shall not apply to the Yukon Territory.

No. 11.

2nd Session, 10th Parliament, 6 Edward VI

BILL

An Act respecting Money-Lende

First reading, March 12, 1906

MR. FITZPATR

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majes
1906

[No. 12.] **BILL.** [1906.

An Act respecting the Lord's Day.

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

Definitions.

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

"Lord's Day."

(*a*) "The Lord's Day" means the period of time which begins at twelve o'clock on Saturday afternoon and ends at twelve o'clock on the following afternoon;

"Person."

(*b*) "Person" has the meaning which it has in the Criminal Code, 1892;

"Vessel."

(*c*) "Vessel" includes any kind of vessel or boat used for conveying passengers or freight by water;

"Railway."

(*d*) "Railway" includes steam railway, electric railway, street railway and tramway;

"Performance."

(*e*) "Performance" includes any game, match, sport, contest, exhibition or entertainment;

"Employer."

(*f*) "Employer" includes every person to whose orders or directions any other person is by his employment bound to conform.

No sales to be made or business or work done on Lord's Day.

2. It shall not be lawful for any person on the Lord's Day to sell or offer for sale or purchase any goods, chattels, or other personal property, or any real estate, or to carry on or transact any business of his ordinary calling, or to do or employ any other person to do on that day any work, business, or labour, in connection with such calling, except as herein provided.

Exception in certain cases in Quebec.

3. Nothing herein contained shall be taken or held to make unlawful in the Province of Quebec such sales at church doors of country parishes as are permitted under the law of that province.

Works of necessity and mercy not prohibited.

4. Notwithstanding anything herein contained, any person may on the Lord's Day do any work of necessity or mercy, and for greater certainty, but not so as to restrict the ordinary meaning of the expression "work of necessity or mercy," it is hereby declared that it shall be deemed to include the following classes of work:

(*a*) Any necessary or customary work in connection with divine worship;

(*b*) Selling drugs and medicines,

(*c*) The work of physicians and surgeons for the relief of sickness and suffering;

(*d*) Receiving, transmitting, or delivering telegraph or telephone messages;

(*e*) The conveying of travellers and His Majesty's mails;

(*f*) Maintaining fires, or doing urgent repairs in cases of emergency or other work of a like incidental character when such fires, repairs, or work are essential to any manufacturing process actually in operation when the Lord's Day begins, which is of such a nature that without the doing of such work on the Lord's Day such process cannot be carried on during the other six days of the week;

(*g*) The continuance to their destination of railway trains in transit when the Lord's Day begins, which are loaded exclusively either with live stock destined for immediate shipment at any ocean port, or with perishable goods, or with both;

(*h*) The carriage to the next divisional point on any railway, or to the next regular port of call of any vessel, of any freight which is in transit by such railway or vessel when the Lord's Day begins.

Games and performances where admission fee is charged.

5. It shall not be lawful for any person on that day to engage in any game or contest for gain or for any prize or reward, or to be present thereat, or to provide, engage in, or be present at any performance at which any fee is charged directly or indirectly either for admission to such performance, or for any service or privilege thereat.

Charges for conveyance to performance.

2. When any performance at which an admission fee or any other fee is so charged is provided in any building or place to which persons are conveyed for hire by the proprietors or managers of such performance or by any one acting as their agents or under their control, the charge for such conveyance shall be deemed an indirect payment of such fee within the meaning of this section.

Excursions by conveyances where fee is charged.

6. It shall not be lawful for any person on the Lord's Day to run, conduct, or convey by any mode of conveyance any excursion on which passengers are conveyed for hire, and having for its principal or only object the carriage on that day of such passengers for amusement or pleasure, and passengers so conveyed shall not be deemed to be travellers within the meaning of this Act.

Pleasure grounds where fee is charged.

7. It shall not be lawful for any person on the Lord's Day to open to the public any park or pleasure ground or other place maintained for gain, to which an admission fee is charged directly or indirectly, or within which a fee is charged for any service or privilege.

Advertisements of prohibited performances etc., where ever taking place.

8. It shall not be lawful for any person to advertise in any manner whatsoever any performance or other thing prohibited by this Act.

2. It shall not be lawful for any person to advertise in Canada in any manner whatsoever any performance or other thing which if given or done in Canada would be a violation of this Act.

9. It shall not be lawful for any person on that day to shoot at any target, mark or other object, or to use any gun, rifle or other engine for that purpose. Target practice.

10. Every constable or other peace officer who suspects that a violation of this Act is being committed in or upon any premises other than a dwelling house shall, within the limits for which he is such constable or peace officer, have the right at any time to enter into or upon and to search such premises for the purpose of ascertaining whether such offence is being committed. Peace officers may enter suspected premises.

2. Every person who obstructs such constable or peace officer acting under the authority of this section, shall be guilty of a violation of this Act. Obstruction of peace officers.

11. Every person who violates any of the provisions of this Act shall for each offence be liable, on summary conviction, to a fine, not less than one dollar and not exceeding forty dollars, together with the cost of prosecution. Penalty for infraction of Act.

12. Every employer who authorizes or directs anything to be done in violation of any provision of this Act, shall for each offence be liable, on summary conviction, to a fine not exceeding one hundred dollars and not less than twenty dollars, in addition to any other penalty prescribed by law for the same offence. Employer's liability for directing unlawful acts.

13. Every corporation which authorizes, directs or permits its employees to carry on any part of the business of such corporation in violation of any of the provisions of this Act, shall be liable, on summary conviction before two justices of the peace, for the first offence to a penalty not exceeding two hundred and fifty dollars, and not less than
and for each subsequent offence to a penalty not exceeding five hundred dollars and not less than
in addition to any other penalty prescribed by law for the same offence. Liability of corporation permitting unlawful acts.

14. Nothing herein shall prevent the operation of any Act now or hereafter in force in any province of Canada regarding any railway subject as such to the legislative authority of such province. Provincial Acts respecting railways not affected.

15. Nothing herein shall be construed to repeal or in any way affect the provisions of any Act respecting the Lord's Day in force in any province of Canada when this Act is passed; and where any person violates any of the provisions of this Act, and such offence is also a violation of any other Act, the offender may be proceeded against either under the provisions of this Act or under the provisions of any other Act applicable to the offence charged. Provincial Lord's Day Acts not affected.

No. 12.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Lord's Day.

First reading, March 12, 1906.

Mr. Fitzpatrick.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 12.] **BILL.** [1906.

An Act respecting the Lord's Day.

(Reprinted as amended by the Select Committee to which it was referred.)

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

Definitions.

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

"Lord's Day."

(*a*) "The Lord's Day" means the period of time which begins at twelve o'clock on Saturday afternoon and ends at twelve o'clock on the following afternoon;

"Person."

(*b*) "Person" has the meaning which it has in the Criminal Code, 1892;

"Vessel."

(*c*) "Vessel" includes any kind of vessel or boat used for conveying passengers or freight by water;

"Railway."

(*d*) "Railway" includes steam railway, electric railway, street railway and tramway;

"Performance."

(*e*) "Performance" includes any game, match, sport, contest, exhibition or entertainment;

"Employer."

(*f*) "Employer" includes every person to whose orders or directions any other person is by his employment bound to conform.

No sales to be made or business or work done on Lord's Day.

2. It shall not be lawful for any person on the Lord's Day, except as provided herein or in any Provincial Act heretofore passed, to sell or offer for sale or purchase any goods, chattels, or other personal property, or any real estate, or to carry on or transact any business of his ordinary calling, or in connection with such calling, or for gain, or to do or employ any other person to do on that day any work, business, or labour.

Works of necessity and mercy not prohibited.

3. Notwithstanding anything herein contained, any person may on the Lord's Day do any work of necessity or mercy, and for greater certainty, but not so as to restrict the ordinary meaning of the expression "work of necessity or mercy," it is hereby declared that it shall be deemed to include the following classes of work:

(*a*) Any necessary or customary work in connection with divine worship;

(*b*) Work for the relief of sickness and suffering, including the sale of drugs, medicines and surgical appliances by retail;

(*c*) Receiving, transmitting, or delivering telegraph or telephone messages;

(*d*) Starting or maintaining fires, making repairs to furnaces and repairs in cases of emergency, and doing any other work, when such fires, repairs or work are essential to any industrial process of such a continuous nature that it cannot be stopped without serious injury to its product or to the plant or property used in such process, or if without the doing of such work on the Lord's Day such process cannot be carried on continuously and safely during the other six days of the week;

(*e*) Any work without the doing of which on the Lord's Day, electric current, light, heat, water or gas cannot be continuously supplied for lawful purposes;

(*f*) The conveying of travellers, and work incidental thereto;

(*g*) The continuance to their destination of trains and vessels in transit when the Lord's Day begins;

(*h*) Loading and unloading merchandise, at intermediate points, on or from passenger boats or passenger trains;

(*i*) Keeping railway tracks clear of snow or ice, making repairs in cases of emergency, or doing any other work of a like incidental character without the doing of which on the Lord's Day the traffic on any transportation line cannot be safely carried on;

(*j*) Work before six o'clock in the forenoon and after eight o'clock in the afternoon of yard crews in handling cars in railway yards;

(*k*) Loading, unloading and operating any ocean-going vessel which otherwise would be unduly delayed after her scheduled date of sailing, or any vessel which otherwise would be in imminent danger of being stopped by the closing of navigation;

(*l*) The caring for live stock and perishable products arriving at any point during the Lord's Day;

(*m*) The operation of any ferry or boat, authorized by competent authority to carry passengers on the Lord's Day;

(*n*) The hiring of horses and carriages for the personal use of the hirer or his family for any purpose not prohibited by this Act;

(*o*) Any unavoidable work after eight o'clock in the afternoon of the Lord's Day in the preparation of the regular Monday morning edition of a daily newspaper;

(*p*) Any unavoidable work after four o'clock in the afternoon of the Lord's Day, for or in connection with the setting of bakers' sponge;

(*q*) The delivery of milk and ice for domestic use, and the work of domestic servants;

(*r*) The operation by any Canadian electric street railway company, whose line is interprovincial or international, of its cars, for passenger traffic, on the Lord's Day on any line or branch now regularly so operated.

Substitution of another holiday for Sunday.

4. It shall not be lawful for any person to permit any employee, other than employees on boats which do not complete their regular trips within twenty-four hours, to do on the Lord's Day, any work within subsec tions (*c*) to (*n*) inclusive, and subsections (*q*) and (*r*) of section 3 of this Act or incidental thereto, unless such employee is given during the next six days of such week twenty-four consecutive hours without labour.

Games and performances where admission fee is charged.

5. It shall not be lawful for any person on that day to engage in any game or contest for gain or for any prize or reward, or to be present thereat, or to provide, engage in, or be present at any performance at which any fee is charged directly or indirectly either for admission to such performance, or for any service or privilege thereat.

Charges for conveyance to performance.

2. When any performance at which an admission fee or any other fee is so charged is provided in any building or place to which persons are conveyed for hire by the proprietors or managers of such performance or by any one acting as their agents or under their control, the charge for such conveyance shall be deemed an indirect payment of such fee within the meaning of this section.

Excursions by conveyances where fee is charged.

6. It shall not be lawful for any person on the Lord's Day to run, conduct, or convey by any mode of conveyance any excursion on which passengers are conveyed for hire, and having for its principal or only object the carriage on that day of such passengers for amusement or pleasure, and passengers so conveyed shall not be deemed to be travellers within the meaning of this Act.

Pleasure grounds where fee is charged.

7. It shall not be lawful for any person on the Lord's Day to open to the public any park or pleasure ground or other place maintained for gain, to which an admission fee is charged directly or indirectly, or within which a fee is charged for any service or privilege.

Advertisements of prohibited performances etc., wherever taking place.

8. It shall not be lawful for any person to advertise in any manner whatsoever any performance or other thing prohibited by this Act.

2. It shall not be lawful for any person to advertise in Canada in any manner whatsoever any performance or other thing which if given or done in Canada would be a violation of this Act.

Target practice.

9. It shall not be lawful for any person on that day to shoot at any target, mark or other object, or to use any gun, rifle or other engine for that purpose.

Sale of foreign newspapers on Sunday.

10. It shall not be lawful for any person to bring into Canada for sale or distribution or to sell or distribute within Canada on the Lord's Day any foreign newspaper or publication classified as a newspaper.

Exception as to Jews, etc.

11. Notwithstanding anything herein contained, whoever conscientiously and habitually observes the seventh day of the week as the Sabbath and actually refrains from work and labour on that day, shall not be subject to prosecution for performing work or labour on the first day of the week, provided that such work or labour does not disturb other persons in the observance of the first day of the week as holy time, and that the place where the same is performed is not open for traffic on that day.

Peace officers may enter suspected premises.

12. Every constable or other peace officer who suspects that a violation of this Act is being committed in or upon any

premises other than a dwelling house shall, within the limits for which he is such constable or peace officer, have the right at any time to enter into or upon and to search such premises for the purpose of ascertaining whether such offence is being committed.

Obstruction of peace officers.

2. Every person who obstructs such constable or peace officer acting under the authority of this section, shall be guilty of a violation of this Act.

Penalty for infraction of Act.

13. Every person who violates any of the provisions of this Act shall for each offence be liable, on summary conviction, to a fine, not less than one dollar and not exceeding forty dollars, together with the cost of prosecution.

Employer's liability for directing unlawful acts.

14. Every employer who authorizes or directs anything to be done in violation of any provision of this Act, shall for each offence be liable, on summary conviction, to a fine not exceeding one hundred dollars and not less than twenty dollars, in addition to any other penalty prescribed by law for the same offence.

Liability of corporation permitting unlawful acts.

15. Every corporation which authorizes, directs or permits its employees to carry on any part of the business of such corporation in violation of any of the provisions of this Act, shall be liable, on summary conviction before two justices of the peace, for the first offence to a penalty not exceeding two hundred and fifty dollars and not less than fifty dollars, and for each subsequent offence to a penalty not exceeding five hundred dollars and not less than one hundred dollars, in addition to any other penalty prescribed by law for the same offence.

Provincial Acts respecting railways not affected.

16. Nothing herein shall prevent the operation of any Act now or hereafter in force in any province of Canada regarding any railway subject as such to the legislative authority of such province, or affect the rights of any other railway under any provincial Act.

Provincial Lord's Day Acts not affected.

17. Nothing herein shall be construed to repeal or in any way affect the provisions of any Act respecting the Lord's Day in force in any province of Canada when this Act is passed; and where any person violates any of the provisions of this Act, and such offence is also a violation of any other Act, the offender may be proceeded against either under the provisions of this Act or under the provisions of any other Act applicable to the offence charged.

The following proposed additions to section 3 were suggested by the Minister of Justice as possibly desirable, but were not passed upon by the committee:—

(*s*) Between the 15th of September and the close of lake navigation, carrying grain in trains loaded exclusively therewith, transhipping grain at lake or river ports, and returning grain cars to shipping points;

(*t*) Loading and unloading at ocean ports and conveying, in trains loaded exclusively therewith, freight passing through Canada in bond from one foreign country to another;

(*u*) Any work which the Board of Railway Commissioners for Canada, having regard to the object of this Act, unanimously deem necessary to permit in connection with the freight traffic of any railway The costs of all persons of applications to the Board under this paragraph shall be borne by the applicant, and, if more than one, equally. Notice of application, in which the reasons to be relied on shall be fully set out, shall be given to the Department of Railways and Canals. In all other respectst he procedure under the Railway Act, 1903, shall, so far as applicable, apply.

No. 12.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Lord's Day.

(Reprinted as amended by the Select Committee to which it was referred.)

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 12.] **BILL.** [1906.

An Act respecting the Lord's Day.

(Reprinted as amended in Committee of the Whole.)

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

Definitions.

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

"Lord's Day."

(*a*) "The Lord's Day" means the period of time which begins at twelve o'clock on Saturday afternoon and ends at twelve o'clock on the following afternoon;

"Person."

(*b*) "Person" has the meaning which it has in the Criminal Code, 1892;

"Vessel."

(*c*) "Vessel" includes any kind of vessel or boat used for conveying passengers or freight by water;

"Railway."

(*d*) "Railway" includes steam railway, electric railway, street railway and tramway;

"Performance."

(*e*) "Performance" includes any game, match, sport, contest, exhibition or entertainment;

"Employer."

(*f*) "Employer" includes every person to whose orders or directions any other person is by his employment bound to conform.

"Provincial Act."

(*g*) "Provincial Act" means any public Act of any province whether passed before or since Confederation.

No sales to be made or business or work done on Lord's Day.

2. It shall not be lawful for any person on the Lord's Day, except as provided herein or in any Provincial Act now or hereafter in force regarding matters coming within the classes of subjects enumerated in section 92 of the British North America Act, 1867, to sell or offer for sale or purchase any goods, chattels, or other personal property, or any real estate, or to carry on or transact any business of his ordinary calling, or in connection with such calling, or for gain to do, or employ any other person to do, on that day any work, business, or labour.

Works of necessity and mercy not prohibited.

3. Notwithstanding anything herein contained, any person may on the Lord's Day do any work of necessity or mercy, and for greater certainty, but not so as to restrict the ordinary meaning of the expression "work of necessity or mercy," it is hereby declared that it shall be deemed to include the following classes of work:

(*a*) Any necessary or customary work in connection with divine worship;

(*b*) Work for the relief of sickness and suffering, including the sale of drugs, medicines and surgical appliances by retail;

(*c*) Receiving, transmitting, or delivering telegraph or telephone messages;

(*d*) Starting or maintaining fires, making repairs to furnaces and repairs in cases of emergency, and doing any other work, when such fires, repairs or work are essential to any industry or industrial process of such a continuous nature that it cannot be stopped without serious injury to such industry or its product or to the plant or property used in such process;

(*e*) Starting or maintaining fires, and ventilating, pumping out, and inspecting mines, when any such work is essential to the protection of property, life or health;

(*f*) Any work without the doing of which on the Lord's Day, electric current, light, heat, cold air, water or gas cannot be continuously supplied for lawful purposes;

(*g*) The conveying of travellers, and work incidental thereto;

(*h*) The continuance to their destination of trains and vessels in transit when the Lord's Day begins;

(*i*) Loading and unloading merchandise, at intermediate points, on or from passenger boats or passenger trains;

(*j*) Keeping railway tracks clear of snow or ice, making repairs in cases of emergency, or doing any other work of a like incidental character without the doing of which on the Lord's Day the traffic on any transportation line cannot be safely carried on;

(*k*) Work before six o'clock in the forenoon and after eight o'clock in the afternoon of yard crews in handling cars in railway yards;

(*l*) Loading, unloading and operating any ocean-going vessel which otherwise would be unduly delayed after her scheduled date of sailing, or any vessel which otherwise would be in imminent danger of being stopped by the closing of navigation; or loading or unloading before seven o'clock in the morning or after eight o'clock in the afternoon any grain, coal or ore carrying vessel after the fifteenth of September ;

(*m*) The caring for milk, cheese, and live animals, and the caring for perishable products arriving at any point during the Lord's Day.

(*n*) The operation of any ferry or boat, authorized by competent authority to carry passengers on the Lord's Day;

(*o*) The hiring of horses and carriages or small boats for the personal use of the hirer or his family for any purpose not prohibited by this Act;

(*p*) Any unavoidable work after six o'clock in the afternoon of the Lord's Day, in the preparation of the regular Monday morning edition of a daily newspaper;

(*q*) The conveying His Majesty's mails and work incidental thereto.

(*r*) The delivery of milk for domestic use, and the work of domestic servants and of coachmen;

(*s*) The operation by any Canadian electric street railway company, whose line is interprovincial or international, of its cars, for passenger traffic, on the Lord's Day on any line or branch now regularly so operated.

(*t*) Work done by any person in the public service of His Majesty while acting therein under any regulation or direction of any Department of the Government;

(*u*) Any unavoidable work by fishermen after six o'clock in the afternoon of the Lord's Day in the taking of fish;

(*v*) All operations connected with the making of maple sugar and maple syrup in the maple grove.

(*w*) Any work which the Board of Railway Commissioners for Canada, having regard to the object of this Act, deem necessary to permit in connection with the freight traffic of any railway. The costs of all persons of applications to the Board under this paragraph shall be borne by the applicant, and, if more than one, equally. Notice of application, in which the reasons to be relied on shall be fully set out, shall be given to the Department of Railways and Canals. In all other respects the procedure under the Railway Act, 1903, shall, so far as applicable, apply;

Substitution of another holiday for Sunday.

4. Except in cases of emergency, it shall not be lawful for any person to permit any employee engaged in the work of some industrial process or in connection with transportation, to do on the Lord's Day the usual work of his ordinary calling, unless such employee is given during the next six days of such week, twenty-four consecutive hours without labour.

Games and performances where admission fee is charged.

5. It shall not be lawful for any person, on the Lord's Day, to engage in any public game or contest for gain, or for any prize or reward, or to be present thereat, or to provide, engage in, or be present at any performance or public meeting at which any fee is charged, directly or indirectly, either for admission to such performance or meeting, or to any place within which the same is provided, or for any service or privilege thereat.

Charges for conveyance to performance.

2. When any performance at which an admission fee or any other fee is so charged is provided in any building or place to which persons are conveyed for hire by the proprietors or managers of such performance or by any one acting as their agents or under their control, the charge for such conveyance shall be deemed an indirect payment of such fee within the meaning of this section.

Excursions by conveyances where fee is charged.

6. It shall not be lawful for any person on the Lord's Day to run, conduct, or convey by any mode of conveyance any excursion on which passengers are conveyed for hire, and having for its principal or only object the carriage on that day of such passengers for amusement or pleasure, and passengers so conveyed shall not be deemed to be travellers within the meaning of this Act.

Advertisements of prohibited performances etc., wherever taking place.

7. It shall not be lawful for any person to advertise in any manner whatsoever any performance or other thing prohibited by this Act.

2. It shall not be lawful for any person to advertise in Canada in any manner whatsoever any performance or other thing which if given or done in Canada would be a violation of this Act.

Shooting.

8. It shall not be lawful for any person on the Lord's Day to shoot with or use any gun, rifle or other similar engine, either for gain or in such a manner or in such places as to disturb other persons in attendance at public worship or in the observance of that day.

Sale of foreign newspapers on Sunday.

9. It shall not be lawful for any person to bring into Canada for sale or distribution or to sell or distribute within Canada on the Lord's Day any foreign newspaper or publication classified as a newspaper.

Penalty for infraction of Act.

10. Every person who violates any of the provisions of this Act shall for each offence be liable, on summary conviction, to a fine, not less than one dollar and not exceeding forty dollars, together with the cost of prosecution.

Employer's liability for directing unlawful acts.

11. Every employer who authorizes or directs anything to be done in violation of any provision of this Act, shall for each offence be liable, on summary conviction, to a fine not exceeding one hundred dollars and not less than twenty dollars, in addition to any other penalty prescribed by law for the same offence.

Liability of corporation permitting unlawful acts.

12. Every corporation which authorizes, directs or permits its employees to carry on any part of the business of such corporation in violation of any of the provisions of this Act, shall be liable, on summary conviction before two justices of the peace, for the first offence to a penalty not exceeding two hundred and fifty dollars and not less than fifty dollars, and for each subsequent offence to a penalty not exceeding five hundred dollars and not less than one hundred dollars, in addition to any other penalty prescribed by law for the same offence.

Operation of railways.

13. Nothing herein shall prevent the operation on the Lord's Day for passenger traffic of any railway subject to the legislative authority of any province unless such railway is prohibited by provincial authority from so operating.

2. Nothing herein shall prevent the operation on the Lord's Day for passenger traffic by any railway company incorporated by or subject to the legislative authority of the Parliament of Canada of its railway where such operation is not otherwise prohibited.

Provincial Lord's Day Acts not affected.

14. Nothing herein shall be construed to repeal or in any way affect any provisions of any Act relating in any way to the observance of the Lord's Day in force in any province of Canada when this Act is passed; and where any person violates any of the provisions of this Act, and such offence is also a violation of any other Act, the offender may be proceeded against either under the provisions of this Act or under the provisions of any other Act applicable to the offence charged.

Limitation of actions.

15. No action or prosecution for a violation of this Act shall be commenced after the expiration of thirty days from the time of the commission of the alleged offence.

Commencement of Act.

16. This Act shall come into force on the first day of March, one thousand nine hundred and seven.

No. 12.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Lord's Day.

(Reprinted as amended in Committee of the Whole.)

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 13.] **BILL.** [1906.

An Act to amend the Act respecting the Judges of Provincial Courts.

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

1905, c. 31, s. 7 amended.

1. Section 7 of chapter 31 of the statutes of 1905, intituled "An Act to amend the Act respecting the Judges of Provincial Courts," is amended by adding thereto the following subsections:—

Judges may not act as arbitrators or referees.

"2. Except at the instance and on behalf of the Crown, or for the determination of actions or suits on questions arising in actions and suits as provided for by the statutes or statutory rules of any province, no judge mentioned in this Act shall become, or act in the capacity of, a referee, arbitrator or umpire, or valuator or assessor of damages or compensation upon or for the determination of any question, dispute or matter in difference of any kind whatsoever, but the provisions of this subsection shall not apply to prevent any judge from proceeding with and completing any reference or arbitration upon which he has actually entered before the fifteenth day of March, one thousand nine hundred and six.

Record of judicial duties to be kept.

"3. Every judge mentioned in this Act shall keep, or cause to be kept by an officer of the court over which he presides, and accessible to such judge, a record of all judicial acts and duties performed by him as such judge, including all actions, suits and proceedings, whether civil or criminal, had or taken or coming before him, and the disposal thereof, and shall, on or before the first day of March, one thousand nine hundred and seven, and annually thereafter, or oftener if required by the Minister of Justice, upon forms and schedules furnished, upon application, by the Department of Justice, make and transmit to the Department of Justice a return or report, certified by the judge, setting forth the judicial acts and duties performed by such judge since the passing of this Act, or since the date of his last return, as the case may be."

No. 13.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the judges of Provincial Courts.

First reading, March 12, 1906.

Mr. Lennox.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 14.] **BILL.** [1906.

An Act to amend the Weights and Measures Act.

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

1. When milk is sold by the can, the can shall be considered as equivalent to eight gallons, and the half can to four gallons. Standard milk cans.

2. Milk cans shall, when presented for verification to any inspector of weights and measures, be inspected and stamped with their capacity as then determined. Inspecti and stamping.

3. The Governor in Council may make a tariff of fees to be paid for inspecting and stamping milk cans, but the said fees shall not exceed one and one-half cent per gallon. Fees.

No. 14.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Weights and Measures Act.

First reading, March 14, 1906.

MR. CAMPBELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 14.] **BILL.** [1906.

An Act to amend the Weights and Measures Act.

[Reprinted as amended and reported by the Select Standing Committee on Agriculture and Colonization.]

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

1. The following section is enacted as section 16 of the Weights and Measures Act, chapter 104 of the Revised Statutes:— R.S.C., c. 104, new s. 16.

"**16.** When milk is sold by measure, all cans or other vessels of a capacity of one gallon or over used for the purpose of such sale shall contain one Dominion standard gallon, as defined by section 15 of this Act, or some multiple of the said gallon. Milk sold by measure.

"2. Such cans or other vessels, when of a capacity of eight gallons, shall be known as a standard; when of a capacity of four gallons, as a half-standard; and when of a capacity of two gallons, as a quarter-standard. Capacity of cans.

"3. All cans or other vessels referred to in this section shall be subject to verification under the general provisions of this Act, and shall have the capacity thereof and the name of the maker cast, engraved or stamped thereon. Verification. Capacity to be stamped.

"4. The Governor in Council may, from time to time, make a tariff of fees to be paid the Inspectors of Weights and Measures or their assistants for inspecting or stamping the cans or vessels herein referred to, and may also make such regulations as he deems necessary— Fees for inspecting and stamping. Regulations.

"(*a*) as respects the construction of such vessels;

"(*b*) governing the manner of inspection thereof; and generally—

"(*c*) for giving effect to the provisions of this section.

"5. All cans or other vessels of a capacity of one gallon and over now being used for the purpose of buying or selling milk by such can or other vessel measure, which have not been verified and stamped by an Inspector or Assistant Inspector of Weights and Measures shall, within three months after this section comes into force, be presented for verification to an Inspector or Assistant Inspector, and every such can or other vessel which is found to contain other than one gallon or a multiple thereof shall be stamped with its capacity to the nearest quart thereof. Inspection of cans now in use.

"6. Every person who, for the purpose of buying or selling milk by measure, uses any can or other vessel which has not been duly inspected and stamped according to this Act shall Penalties for offences.

for the first offence, incur a penalty not exceeding fifty dollars and not less than five dollars, and for each subsequent offence a penalty of fifty dollars; and such vessel shall be forfeited, and shall be seized by the Inspector or his assistant."

No. 14.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Weights and Measures Act.

[*Reprinted as amended and reported by the Select Standing Committee on Agriculture and Colonization.*]

MR. CAMPBELL.

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

No. 15.] **BILL.** [1906.

An Act to amend the Adulteration Act.

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

1. *The Adulteration Act*, chapter 107 of the Revised Statutes, is amended by inserting the following section immediately after section 24 :— R.S.C., c, 107 amended.

"**24A.** No proprietary or patent medicine shall be manufactured or imported into Canada, or sold or offered for sale therein, which has not attached to the package a formula setting forth the component parts of the medicine ; and this formula must form an inseparable part of the general lable, on which shall also appear the name and address of the manufacturer. Label on patent medicine package.

2. "Every person who sells or offers or exposes for sale any proprietary or patent medicine in respect of which the provisions of this section have not been complied with shall be liable to a penalty not exceeding $50 for the first offence, and for each subsequent offence to a penalty not exceeding $100." Penalty.

No. 15.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Adulteration Act.

First reading, March 15, 1906.

MR. BERGERON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

Printer to the King's most Excellent Majesty

No. 16.] **BILL.** [1906.

An Act to amend the Steamboat Inspection Act, 1898.

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

1898, c.46,s.3 amended.

1. Subsection 1 of section 3 of *The Steamboat Inspection Act*, 1898, as enacted by section 1 of chapter 66 of the statutes of 1903, is amended by striking out the first seven lines down to and including the word "Act," and substituting therefor the following words:—"No steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind, and no steamboat having an engine under ten nominal horse power, if it is of the single cylinder type, and eighteen horse power if it is of the compound type, shall be subject to the requirements of this Act."

Certain vessels exempt.

Section 35 amended.

Employment of engineers.

2. Subsection 1 of section 35 of the said Act is amended by striking out the words "or on any freight steamboat of over one hundred and fifty tons gross" in the third and fourth lines thereof, and substituting therefor the following words:—"or on any steamboat having an engine of more than ten nominal horse power, if it is of the single cylinder type, and eighteen horse power if it is of the compound type, other than a steam yacht used exclusively for pleasure or private use without hire or remuneration of any kind."

No. 16.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Steamboat Inspection Act, 1898.

First reading, March 16, 1906.

MR. MCCARTHY.
(North Simcoe.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 17.] **BILL.** [1906.

An Act to further amend the Railway Act, 1903.

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

1. Subsection 3 of section 199 of The Railway Act, 1903, is repealed, and the following is substituted therefor:— 1903, c. 58, s. 199 amended.

"3. If the company omits to erect and complete as aforesaid any fence, gate or cattle guard, or if, after it is completed, the company neglects to maintain the same as aforesaid, and if, in consequence of such omission or neglect, any animal gets upon the railway from an adjoining place where, under the circumstances, it might properly be, then the company shall be liable to the owner of the animal for all damages in respect of it caused by its getting or being upon the railway, or by the company's trains or engines or the operation or management thereof; and no animal allowed by law to be at large, and no animal running or being at large without the actual negligence or wilful act or omission of the owner or his agent, of which negligence the onus of proof shall be upon the company, shall be held to be unlawfully or improperly on a place adjoining the railway merely for the reason that the owner or occupant of such place has not permitted it to be there: Provided, however, that where a railway traverses territory in which no municipal organization exists and which has not been surveyed and subdivided into lots or opened for settlement, the board may make orders modifying or relieving the company from compliance with the provisions of subsections 1 and 2 of this section for a limited time or until further order made therein; but no order, unless renewed, shall have any force or effect beyond the period of ten years." Liability of company. Proviso.

No. 17.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to further amend the Railway Act, 1903.

First reading, March 16, 1906.

Mr. Lennox.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 18.] **BILL.** [1906.

An Act respecting Annuities for certain Privy Councillors, and respecting the Senate and House of Commons.

1. Chapter 30 of the statutes of 1905, intituled "An Act respecting Annuities for certain Privy Councillors," is repealed. 1905, c. 30 repealed.

2. Chapter 43 of the statutes of 1905, intituled "An Act to amend the Act respecting the Senate and House of Commons," is repealed. 1905, c. 43 repealed.

No. 18.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Annuities for certain Privy Councillors, and respecting the Senate and House of Commons.

First reading, March 19, 1906.

MR. MACLEAN,
(South York.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 18.] **BILL.** [1906.

An Act respecting Annuities for certain Privy Councillors, and respecting the Senate and House of Commons.

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

1. Chapter 30 of the statutes of 1905, intituled "An Act respecting Annuities for certain Privy Councillors," is repealed. 1905, c. 30 repealed.

2. Chapter 43 of the statutes of 1905, intituled "An Act to amend the Act respecting the Senate and House of Commons," is repealed. 1905, c. 43 repealed.

No. 18.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

[REPRINT.]

BILL.

An Act respecting Annuities for certain Privy Councillors, and respecting the Senate and House of Commons.

First reading, March 19, 1906.

MR. MACLEAN,
(South York.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 19.] **BILL.** [1906.

An Act respecting the South Ontario Pacific Railway Company.

Preamble.

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

1901, c. 85 repealed

1. Chapter 85 of the statutes of 1901 is repealed.

Time for construction extended.

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

No. 19.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the South Ontario Pacific Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. GUTHRIE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 20.] **BILL.** [1906.

An Act to incorporate the Canadian Bible Society auxiliary to the British and Foreign Bible Society.

WHEREAS the voluntary society known as the Canadian Bible Society auxiliary to the British and Foreign Bible Society has by its petition represented that it is composed of the auxiliary societies of Upper Canada, Western Ontario, Perth, Ottawa, Montreal, Quebec, New Brunswick, Fredericton, Nova Scotia, Prince Edward Island, New Glasgow, Pictou, Miramichi and Newfoundland, and has prayed that it be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The voluntary society mentioned in the preamble is incorporated under the name of "The Canadian Bible Society auxiliary to the British and Foreign Bible Society," hereinafter called " the Society." Incorporation. Corporate name.

2. The affairs of the Society shall be managed and controlled by a general board composed of members elected from time to time by the said auxiliaries in accordance with the constitution of the Society. General board.

3. The said board shall appoint such officers as it deems necessary, and in accordance with the constitution of the Society. Officers.

4. The sole object of the Society shall be to promote the wider circulation throughout Canada of the Bible without note or comment, and to assist the British and Foreign Bible Society in its work. Objects.

5. The Society may acquire by purchase or otherwise, take, receive and hold conveyances, devises, bequests and gifts of real and personal property, or any estate or interest therein, and may use, sell and dispose thereof, and may apply the proceeds of such property for the purposes for which the Society has been organized: Provided, however, that the Society shall, within ten years after the acquisition of any real property as aforesaid, sell or otherwise dispose of so much as is not required for the use, occupation, or other like purposes of the Society; and provided also that any devise of real property as aforesaid shall be subject to the laws respecting devises of real estate to religious corporations in force at the time of such devise in the Real property.

province in which such real estate is situate, so far as such laws apply to the estate.

Admission of auxiliary societies.

6. The said general board may by resolution admit as constituents of the Society such other auxiliaries of the British and Foreign Bible Society, which now exist in Canada or Newfoundland, or which are hereafter formed, as desire to join the Society and as the said board thinks fit to accept.

No. 20.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Canadian Bible Society auxiliary to the British and Foreign Bible Society.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. COCKSHUTT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 21.] **BILL.** [1906.

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

WHEREAS the Huron and Erie Loan and Savings Company, hereinafter referred to as "the Amalgamated Corporation," has by its petition set forth that the Huron and Erie Loan and Savings Company and the Canadian Savings and Loan Company of London, Canada, being corporations duly incorporated as permanent loan companies under the law of the province of Ontario, acting under and pursuant to the statutory law of the said province in that behalf, being chapter 205 of the Revised Statutes of Ontario, 1897, have recently, that is to say on the first day of January, nineteen hundred and six, under the provisions of an agreement duly executed by the said two contracting corporations (a copy whereof is set forth in the schedule hereto), as approved by order in council of the lieutenant governor of Ontario, dated the twenty-ninth day of December, nineteen hundred and five, and by the certificate of the attorney general for Ontario, dated the tenth day of January, nineteen hundred and six, become amalgamated, merged and consolidated into one loan corporation under the name of the Huron and Erie Loan and Savings Company; and that the Amalgamated Corporation is, by the said Act and its by-laws, empowered to extend its business beyond the limits of the said province of Ontario; and that it is desirable that the said amalgamation be sanctioned, approved and confirmed by an Act of the Parliament of Canada; and whereas the Amalgamated Corporation has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, and in so far as the jurisdiction in the matters herein contained lies with this Parliament, enacts as follows:— Preamble. Con. Stat. U.C., c. 53. Can., 1896, (1st Sess.) c. 49; 1899, c. 115; 1905, c. 105. R.S.O., c. 205.

1. The agreement in the schedule to this Act is sanctioned, approved, ratified and confirmed; and it is declared and enacted that on, from and after the first day of January, nineteen hundred and six, the said agreement took effect as the agreement and act of union, amalgamation and consolidation of the said two contracting corporations, and that thereupon the said two contracting corporations became amalgamated into one loan corporation, under the name of The Huron and Erie Loan and Savings Company, with a common seal, with all powers, rights, duties and obligations arising out of the said agreement, with an authorized capital stock consisting of fixed, permanent and non-withdraw- Agreement in schedule confirmed.

able stock to the amount of five million dollars, in shares of fifty dollars each, of which capital stock three million five hundred thousand dollars have been subscribed, composed of thirty thousand fully paid shares of the par value of fifty dollars each, and forty thousand shares of the same par value, on which twenty per cent has been paid, the total amount paid on the said stock being the sum of one million nine hundred thousand dollars, and the liability to the Amalgamated Corporation of each holder of the said stock on which only twenty per cent has been paid, being the amount which such shareholder would have been liable to pay in respect of his shares, including premium thereon, to the Huron and Erie Loan and Savings Company if the said amalgamation had not been made.

Transfer of franchises and assets to Amalgamated Corporation.

2. The Amalgamated Corporation shall, subject to the laws of the province of Ontario and Dominion of Canada, possess all the rights, privileges and franchises of each of the said contracting corporations; and, as from the said first day of January, nineteen hundred and six, all and singular the business, property, real and personal, and all rights and incidents appurtenant thereto, all stocks, mortgages or other securities, subscriptions and other debts due on whatever account, and other things in action belonging to the contracting corporations or either of them were, and are hereby declared to have been, transferred to and vested in the Amalgamated Corporation without further act or deed: Provided, however, that all rights of creditors and liens upon the property of either of the contracting corporations shall be unimpaired by the said amalgamation, and that all debts, liabilities and duties of either of the said contracting corporations shall thenceforth attach to the Amalgamated Corporation, and may be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or contracted by it; and that no action or proceeding, legal or equitable, by or against the said contracting corporations or either of them shall abate or be affected by the said amalgamation, but for all the purposes of such action or proceeding the corporation may be deemed still to exist or the Amalgamated Corporation may be substituted in such action or proceeding in the place thereof.

Rights of creditors saved.

Issue of stock confirmed.

3. It is further declared and enacted that, notwithstanding anything in the said Act or any other Act contained, the Amalgamated Corporation was fully empowered to make the issue of five hundred thousand dollars of stock in the said agreement referred to, for the purposes of the said agreement, and the said issue of stock is hereby ratified, confirmed and validated.

SCHEDULE.

This indenture made in quadruplicate this twenty-fourth day of October, A.D. 1905, between the Huron and Erie Loan and Savings Company of the first part, and the Canadian Savings and Loan Company of London, Canada, of the second part:

Whereas the parties of the first and second parts were each duly incorporated as permanent loan companies under the law

of the province of Ontario, and are loan corporations within the meaning of, and stand duly registered under the Loan Corporations Act, chapter 205, Revised Statutes of Ontario, 1897, and have each a paid up permanent non-withdrawable and unimpaired capital exceeding the sum of three hundred thousand dollars ($300,000) on which a sum exceeding the sum of one hundred thousand dollars ($100,000) has been paid and is unimpaired; and, under the provisions of the said Act and of the laws in that behalf are empowered to unite, merge, amalgamate and consolidate the said corporations, together with their respective stocks, properties, businesses and franchises, and to transact a like business.

And whereas it has been deemed desirable that the said two corporations shall become united and amalgamated pursuant to the provisions of the said Act and of the law in that behalf.

And whereas the directors of each of the said corporations have, pursuant to the said Act, and to the law in that behalf entered into these presents as a joint agreement under the corporate seal of each of the said corporations respectively for the union, merger, amalgamation and consolidation of the said two corporations upon the terms and conditions hereinafter set forth.

And whereas pursuant to the statutory provisions in that behalf it is intended to procure the shareholders of the said corporations to pass severally resolutions ratifying and accepting this agreement and indenture, and thereafter to submit the same so ratified and accepted for the assent of the Lieutenant-Governor of Ontario in council.

And whereas the assets and liabilities of the said two corporations, as shown by their respective last annual statements, dated the thirty-first day of December, A.D. 1904, and published in the report of the Registrar of Loan Corporations for Ontario, are as follows, to wit: The assets of the said the Huron and Erie Loan and Savings Company are eight million two hundred and ninety-one thousand three hundred and forty dollars and sixty-two cents ($8,291,340.62).

The liabilities of the last-named corporation to the public are five million seven hundred and ninety-eight thousand five hundred and fifty-two dollars and twelve cents ($5,798,552.12).

The excess of the said assets over the said liabilities (the said excess being hereinafter called the net assets) is two million four hundred and ninety-two thousand seven hundred and eighty-eight dollars and fifty cents ($2,492,788.50).

The assets of the said the Canadian Savings and Loan Company, of London, Canada, are two million four hundred and ten thousand five hundred and thirty dollars and eighteen cents ($2,410,530.18).

The liabilities of the last-named corporation to the public are one million three hundred and thirty-nine thousand seven hundred and fourteen dollars and eighty-six cents ($1,339,714.86)

The excess of the said assets of the last-named corporation over the said last-mentioned liabilities (the said excess being hereinafter called the net assets) is one million seventy thousand eight hundred and fifteen dollars and thirty-two cents ($1,070,-815.32).

And whereas the subscribed capital stock of the party of the first part is three million dollars ($3,000,000.00) on which one

million four hundredthousand dollars ($1,400,000.00) has been paid up.

And whereas the subscribed capital stock of the party of the second part is seven hundred and fifty thousand dollars ($750,000.00) which is fully paid up.

And whereas it has been agreed between the said corporations that the market value of the said capital stock of each of the said corporations respectively shall, to the extent to which the same has been paid in, be deemed for the purposes of this agreement to be as follows:

The Huron and Erie Loan and Savings Company at two million five hundred and seventy-six thousand dollars ($2,576,000.00).

The Canadian Savings and Loan Company, of London, Canada, at nine hundred and ninety thousand dollars ($990,000.00).

Now therefore this indenture witnesseth that for the purposes of carrying into effect the said union, merger, amalgamation and consolidation of the said two corporations and in consideration of the premises and of the reciprocal covenants and agreements between the parties hereto herein contained, the parties of the first and second parts do hereby covenant and agree each with the other as follows:

1. The said two corporations, parties hereto, hereby covenant and agree to and with each other, to unite, merge, amalgamate and consolidate into one corporation under the name of "The Huron and Erie Loan and Savings Company," hereinafter called the amalgamated company, and also that this indenture shall, respectively for and in behalf of each of the said corporations, be executed by its president, or vice-president and manager, under its corporate seal, and that this indenture so executed shall, if ratified by the shareholders of each of the said two corporations respectively, be submitted for and shall be subject to the assent of the Lieutenant-Governor of Ontario in council, and the certificate of such assent shall be final and conclusive evidence, not only of such assent and of all matters certified or declared in the official certificate of assent, but also of the due performance and execution of all conditions, matters and things precedent or preliminary to such assent or certificate.

2. As from the date of the said assent of the Lieutenant-Governor of Ontario in council, the said union, merger, amalgamation and consolidation of the said two corporations into the amalgamated company shall take effect *ipso facto*, and these presents shall thenceforth be taken and deemed to be the agreement and act of union, merger, amalgamation and consolidation of the said two corporations, and as from the date of the said assent, the said two corporations shall be deemed and taken to be united, amalgamated and consolidated and to merge in and form one corporation by the name of "The Huron and Erie Loan and Savings Company."

3. As from the date of the said assent of the Lieutenant-Governor of Ontario in council, the said amalgamated company shall, for its own use and benefit (subject always to the law governing property and civil rights), have, hold, possess, enjoy, exercise and use all the rights, privileges and franchises of each of the said two corporations, parties hereto, and as from the said date all and singular all lands, mortgages, securities, title deeds,

charges, liens, cash, bank notes, bonds, debentures, stocks, shares, bills, notes, subscriptions, debts, accounts, chattels, fixtures, furniture, books of accounts, judgments, things in action and all property, real and personal and all powers, rights and incidents appurtenant thereto. Also all estates, effects, rights, interests and credits of every kind and nature whatsoever and wheresoever, situate, of, or belonging to the said two corporations, parties hereto, or to either of them, shall, by the said assent of the Lieutenant-Governor of Ontario in council, and without any further act, deed or instrument be taken and be deemed to be conveyed, assigned and transferred to and vested in the said amalgamated company to and for the use and benefit absolutely of the said amalgamated company, its successors and assigns.

Provided, however, that no rights of creditors nor mortgages, charges or liens upon the property of either of the said corporations, parties hereto, shall be in any wise impaired by such amalgamation; but that all debts, liabilities and duties of each of the said corporations shall thenceforth attach to the said the amalgamated company, and may be enforced against it to the same extent as if the said debts and liabilities and duties had been incurred, contracted or undertaken by it, and that no action or proceeding, legal or equitable, by or against the said two corporations so amalgamated or either of them shall abate or be affected by such amalgamation, but for all the purposes of such action or proceeding, such corporation may be deemed still to exist or the said amalgamated company may be substituted in such action or proceeding in the place thereof.

4. The rules and by-laws of the said party of the first part, "The Huron and Erie Loan and Savings Company," in so far as the same are not contrary to law or inconsistent with this agreement, shall be the present existing rules and by-laws of the amalgamated company until the same are lawfully repealed, amended or added to by the said amalgamated company.

5. The number of directors of the said amalgamated company shall not exceed nine nor be less than five and the first directors thereof whose term of office shall continue until the first annual meeting of the said amalgamated company to be holden on the second Wednesday of February, A.D. 1906, shall consist of five to be elected by the present directors of the party of the first part by a majority vote from among the members of its present board, and four to be elected by the present directors of the party of the second part by a majority vote from among the members of its present board, such election to be made immediately after the said ratification by the shareholders of this agreement, but until the said assent of the Lieutenant-Governor of Ontario in council is had hereto, nothing herein contained shall be deemed to impair or affect the powers, rights, duties or liabilities of the directors of the several corporations, parties hereto. George A. Somerville, of the city of London, in the county of Middlesex, shall be the first manager of the said amalgamated company.

6. The head office of the said amalgamated company shall be in the city of London, in the province of Ontario.

7. The authorized capital stock of the said amalgamated company shall be five million dollars ($5,000,000.00), in shares of the par value of fifty dollars ($50.00) each, of which capital stock

three million five hundred thousand dollars ($3,500,000.00) has been subscribed, composedof thirty thousand (30,000.00) fully paid shares of the par value of fifty dollars ($50.00) each and forty thousand (40,000) shares of the same par value on which twenty per cent has been paid, the total amount paid on the said stock being the sum of one million nine hundred thousand dollars ($1,900,000.00).

8. From the date of the said assent of the Lieutenant-Governor of Ontario in council each holder of shares of the capital stock of the Huron and Erie Loan and Savings Company and of the Canadian Savings and Loan Company, of London, Canada, respectively, shall be deemed by virtue of the said assent *ipso facto* to have surrendered the said shares and to have accepted and to hold (substituted therefor) shares of the capital stock of the said amalgamated company in the manner following, that is to say:

(*a.*) In the case of the Huron and Erie Loan and Savings Company (the party hereto of the first part) each shareholder therein of record on the books thereof at the date of the said assent hereto of the Lieutenant-Governor of Ontario in council shall receive the same number and description both of the fully paid and of the partially paid stock of the said amalgamated company as he, at the said last-mentioned date, holds in the stock of the said company (the party of the first part), in lieu of and in substitution for the last-mentioned stock and in respect of partly paid shares of the said amalgamated company the holder shall be liable to the said amalgamated company for the amount remaining unpaid thereon.

(*b.*) In the case of the Canadian Savings and Loan Company, of London, Canada, each shareholder therein of record on the books of the said last-mentioned company on the said date of assent, shall, in addition to the bonus hereinafter provided and subject to the provisions hereinafter made as to adjustment and as to fractions of shares, receive shares, of stock fully paid of the said amalgamated company in the proportion of two shares of fully paid stock of the said amalgamated company for every three shares of the fully paid stock of the Canadian Savings and Loan Company, of London, Canada, held by him, in lieu of and in substitution for the stock of the Canadian Savings and Loan Company of London, Canada, as held by him.

9. If in any substitution of shares a fraction of a share remains the procedure in dealing with the same shall be as follows, to wit:

(*a.*) So long as any portion of the said issue of five hundred thousand dollars ($500,000.00) of the stock of the said amalgamated company remains unallotted, any shareholder entitled to such fraction shall have the right within one month of the aforesaid assent of the Lieutenant-Governor of Ontario in council, on notifying the said amalgamated company in writing of his intention so to do, to pay to the amalgamated company the difference required to make up the value of one fully paid share of the stock of the said last-mentioned company (the same to be treated as of the value of ninety-two dollars ($92.00), paying to the said company at the time of giving the said notice the necessary money for that purpose, and such shareholder shall thereupon be entitled to have allotted to him one fully paid share of the stock of the said amalgamated company.

(*b.*) Provided always that in assigning the said unallotted shares to the shareholders entitled to fractions as aforesaid, the order of allotment shall be as follows: Each shareholder entitled to two-thirds of a share shall be first supplied, and if any shares of the said issue of five hundred thousand dollars ($500,000.00) are then left, the order of allotment thereof shall be governed by the order in time of the receipt by the said amalgamated company of the notice of intention of such shareholder to convert his fraction into a full share in manner aforesaid.

(*c.*) Provided further that in the case of all shareholders entitled to fractions as aforesaid who shall not, within the time hereinbefore limited, convert such fractions into full shares in manner aforesaid, each of such shareholders shall, upon expiry of the said period of one month, be credited in the books of the said amalgamated company with a sum in money which shall be equivalent to the value of his fraction (the full share being taken to be of the value of ninety-two dollars ($92.00).

10. The terms, conditions and mode of carrying into effect the said amalgamation shall be as follows:

The said amalgamation shall be carried into effect on the basis of the last annual statement, being the statement for the year ending the thirty-first day of December, A.D. 1904, made by each of the said corporations respectively under the Loan Corporations' Act, as published in the report of the registrar of loan corporations, which respective statements the party of the first part (as to the statement issued by the said the Huron and Erie Loan and Savings Company) and the party of the second part (as to the statement issued by the said the Canadian Savings and Loan Company, of London, Canada), hereby respectively represent, declare and guarantee to be correct and accurate in every particular.

11. The said amalgamation shall take effect as from the date of the assent hereto of the Lieutenant-Governor of Ontario in council, and in respect of the six months ending the thirty-first day of December, A.D. 1905, the several shareholders of each of the said corporations, parties hereto, shall be entitled to receive from the amalgamated company, out of the profits by way of dividend, sums which shall be equal to those paid by the respective corporations by way of dividends for the next preceding six months.

12. For the purposes of the said amalgamation each fully paid share of the capital stock of the said the Canadian Savings and Loan Company, of London, Canada, shall be treated as of the value of sixty-six dollars ($66.00), and each fully paid share of the capital stock of the said the Huron and Erie Loan and Savings Company as of the value of ninety-two dollars ($92.00), and the shareholders of the said the Canadian Savings and Loan Company, of London, Canada, on record at the date of the assent of the Lieutenant-Governor of Ontario in council hereto shall, in lieu of and in exchange for the aforesaid seven hundred and fifty thousand dollars ($750,000.00) of the fully paid stock of the said the Canadian Savings and Loan Company of London, Canada, held by them, receive five hundred thousand dollars ($500,000.00) of fully paid stock of the said amalgamated company together with a bonus as hereinafter provided, the said stock and bonus so to be received by the shareholders of the

said the Canadian Savings and Loan Company, of London, Canada, to be divided and apportioned among them *pro rata* in proportion to the stock of the said last-mentioned corporation, held by them at the date of the said assent. The said bonus shall be regulated as follows:

In case the statements of both corporations hereinbefore referred to shall, as the result of the investigation by the adjusters hereinafter provided for, be found to be correct, the said bonus shall be seventy thousand dollars ($70,000.00); but in the event of any inaccuracy being discovered in the said statements or either of them as a result of the said investigation, whereby the net assets of either of the said corporations (parties hereto) are increased or diminished as at the thirty-first day of December, A.D. 1904, then the said bonus of seventy thousand dollars ($70,000.00) shallbe increased or diminished accordingly. The said bonus so adjusted shall, prior to the taking effect of the said amalgamation, be provided by withdrawing the amount necessary to pay the same from the reserve fund of the said the Canadian Savings and Loan Company, of London, Canada, and the money so withdrawn shall be set aside, and be paid over to the amalgamated company, to be by it distributed *pro rata* as aforesaid by way of bonus among the shareholders of the said the Canadian Savings and Loan Company, of London, Canada, of record at the date of the said assent of the Lieutenant-Governor of Ontario in council; and forthwith after the said assent the said amalgamated company shall pay over the said bonus to the several shareholders entitled thereto.

13. Each of the said corporations shall have eight weeks from the date of the ratification of this agreement by the shareholders of the said two corporations respectively, in which to investigate and verify the said financial statement of the other, and to examine the books and securities of the other. In case the foregoing statement of the net assets of either of the said corporations (parties hereto) as at the thirty-first day of December, A.D. 1904, should, as the result of the said investigation by the adjusters, be found to be incorrect, then the exchange consideration shall be adjusted accordingly.

For the assistance of the adjusters hereinafter mentioned, one or more auditors shall be appointed by each of the parties hereto (the same number of auditors to be appointed by each of the said parties), and the said corporations and each of them shall produce all books, documents, securities, vouchers and statements and give and furnish all information required by such auditors, and shall do everything necessary to facilitate the making of such audit.

14. Immediately after the date of the ratification of this agreement by the shareholders of the said two corporations, parties hereto, respectively, then for the purpose of such investigation the board of directors of each corporation shall appoint two adjusters, who may be directors or not of such corporation and who shall choose an umpire.

If they cannot agree upon an umpire, a judge of the county court of the County of Middlesex shall, upon the application of either party, have authority to appoint one, and the award of such adjusters, or, if they fail to agree, of such umpire, shall

be final and binding upon both parties hereto, and may, on the application of either party, be enforced as a rule of court, as is the case of an award of arbitrators.

In witness whereof the parties hereto have respectively hereunto affixed their seals, attested by the signatures of their presidents and managers respectively.

Signed, Sealed and Delivered,
in the presence of:

H. W. GIVINS.

J. W. LITTLE,
President.

GEO. A. SOMERVILLE,
Manager.

The Huron & Erie Loan & Savings Co. Seal.

J. F. KERN,

ROBT. FOX,
President.

M. H. ROWLAND,
Manager.

The Canadian Savings & Loan Co. Seal.

No. 21.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

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

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 22.] **BILL.** [1906.

An Act respecting the Canadian Pacific Railway Company.

Preamble.

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

Time for construction of railway extended.

1. The Canadian Pacific Railway Company, hereinafter called "the Company," may commence within two years and complete within five years after the passing of this Act, the railway which it was authorized by chapter 55 of the statutes of 1900 to construct 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, and may complete within five years after the passing of this Act the railway which it was authorized by chapter 54 of the statutes of 1901 to construct from Stonewall or Teulon, in the province of Manitoba, or from a point on the Company's line between those places, thence in a direction generally north-west to a point on the east shore of Lake Manitoba, between Marsh point and the north boundary of township twenty-five.

1900, c. 55.

1901, c. 54.

1901, c. 45, s. 1 amended.

2. Section 1 of chapter 54 of the statutes of 1901 is amended by striking out all the words after "twenty-five" in the seventh line thereof.

When powers of construction to cease.

3. If the company fails to commence and complete the railways mentioned in this Act within the times limited, the powers granted for their construction shall cease and determine as to so much thereof as then remains uncompleted.

No. 22.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Canadian Pacific Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 23.] **BILL.** [1906.

An Act to incorporate the Quebec Midland Railway Company.

Preamble.

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

Incorporation.

1. John E. Hardman, Alfred W. G. Wilson, Robert B. Owens and Harold C. Mitchell, all of the city of Montreal, and Francis Henry Chrysler, of the city of Ottawa, together with such persons as become shareholders in the company, are incorporated under the name of "The Quebec Midland Railway Company," hereinafter called "the Company."

Corporate name.

Declaratory.

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

Provisional directors.

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

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

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

Annual meeting.

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

Directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches from a point on the Interprovincial boundary between the provinces of Ontario and Quebec, at or near the northern extremity of Lake Abitibi, thence in an easterly and northerly direction to a point on the west shore of Lake Mattagami, in the province of Quebec.

Issue of securities.

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

No. 23.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Quebec Midland Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. BUREAU.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 24.] **BILL.** [1906.

An Act respecting the Campbellford, Lake Ontario and Western Railway Company.

Preamble.

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

1904, c. 54.

Time for construction extended.

1. The Campbellford, Lake Ontario and Western Railway Company may commence within two years and complete within five years after the passing of this Act the railway which it has been authorized to construct: Provided that as to so much thereof as is not so completed the powers of the said company shall cease and determine.

No. 24.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Campbellford, Lake Ontario and Western Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. MCCOLL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 25.] **BILL.** [1906.

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

WHEREAS the Niagara, Queenston and St. Catharines Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 162.

1. Section 4 of chapter 162 of the statutes of 1903 is repealed, and the following is substituted therefor:— 1903, c. 162, new section 4.

"**4.** The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent of the shares subscribed." Capital stock.

2. Section 12 of the said Act is repealed. Section 12 repealed.

3. The Niagara, Queenston and St. Catharines Railway Company may commence the construction of its railway, and expend fifteen per cent on the amount of the capital stock thereon, within two years after the passing of this Act, and may finish the railway and put it in operation within five years after the passing of this Act, otherwise the powers granted by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted. Time for construction of railway extended.

No. 25.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

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

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. CLARKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 26.] **BILL.** [1906.

An Act respecting the West Ontario Pacific Railway Company.

Preamble. 1885, c. 87; 1886, c. 70; 1887, c. 62; 1888, c. 53.

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

Line of railway authorized.

1. The West Ontario Pacific Railway Company, hereinafter called "the Company," may lay out, construct and operate a branch line of railway from a point on the Company's line at or near the city of London, in the province of Ontario, in a northerly direction through the counties of Middlesex or Oxford, Perth, Huron and Bruce, to a point on Lake Huron, in the county of Huron or Bruce.

Issue of securities.

2. The securities issued by the Company in respect of the said branch line of railway shall not exceed twenty-five thousand dollars per mile of the said railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Existing Acts to apply to railway hereby authorized.

3. All the provisions of the Company's Act of incorporation and amendments thereto, in so far as they are inconsistent with this Act, shall so far as applicable apply to the railway which the Company is by this Act authorized to construct and operate.

Time for construction limited.

4. The said branch line of railway shall be commenced within two years and completed within five years after the passing of this Act, and as to so much thereof as is not constructed within that period the Company's powers of construction shall cease and determine.

Agreements with other companies.

5. Subject to the provisions of sections 281, 282 and 283 of The Railway Act, 1903, the Company may enter into agreements with the Canadian Pacific Railway Company or the Ontario and Quebec Railway Company, for any of the purposes specified in the said section 281.

No. 26.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the West Ontario Pacific Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. PARDEE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 27] **BILL.** [1906.

An Act to incorporate the Kamloops and Yellow Head Pass Railway Company.

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

1. Walter Archibald Anderson, George Dillon Curtis, William Martin Griffin and Robert Innys Baker Warton, all of the city of Vancouver, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Kamloops and Yellow Head Pass Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

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

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

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

7. The number of directors shall be four, one or more of whom may be paid directors. 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 at or near Kamloops, thence running in a northerly direction, following the valleys of the North Thompson River, the Canoe River, and McLellan's Creek to a point at or near Tete Jaune Cache, in the province of British Columbia. Line of railway described.

9. The securities issued by the Company shall not exceed twenty thousand dollars per mile of the railway, and may be Issue of securities.

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

Agreements with other companies.

10. Subject to the provisions of sections 281, 282 and 283 of The Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company and the Canadian Northern Railway Company.

No. 27.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Kamloops and Yellow Head Pass Railway Company.

First reading, March 20, 1906.

(PRIVATE BILLS.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 28.] **BILL.** [1906.

An Act respecting the Esquimalt and Nanaimo Railway Company.

Preamble. 1884, c. 6; 1886, c. 15; 1888, c. 89; 1905, c. 90.

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

Time for construction extended.

1. The Esquimalt and Nanaimo Railway Company, hereinafter called "the Company," may construct and complete the extension of its main line to Comox, and the branches which by its Act of incorporation it was authorized to construct, within five years after the passing of this Act; provided that as to so much thereof as is not completed within that period the powers of the Company shall cease and determine.

Lines authorized.

2. The Company may lay out, construct and operate the following railway and branches:—

(*a.*) a railway from Comox to a point at or near Campbell River;

(*b.*) a branch from a point on its main line at or near Duncans to a point at or near the town of Alberni, via Cowichan Valley;

(*c.*) a branch from a point on its main line at or near Englishman's River to a point at or near Alberni Canal;

(*d.*) a branch from a point on its main line at or near Comox, via Cumberland, south-westerly to a point at or near Alberni Canal;

(*e.*) such other branch lines from the Company's main line as are from time to time authorized by the Governor in Council.

Time for construction limited.

3. The railway and each of the branches mentioned in section 2 of this Act 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.

No. 28.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Esquimalt and Nanaimo Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. SLOAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 29.] **BILL.** [1906.

An Act respecting the Vancouver and Lulu Island Railway Company.

Preamble.

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

1901, c. 86.

Time for construction extended.

1. The Vancouver and Lulu Island Railway Company may, within five years after the passing of this Act, construct and complete the railways and branches which it has been authorized to construct: Provided that as to so much thereof as is not constructed within that period the powers of the said company shall cease and determine.

No. 29.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act respecting the Vancouver and Lulu Island Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 30.] **BILL.** [1906.

An Act respecting the Kootenay and Arrowhead Railway Company.

WHEREAS the Kootenay and Arrowhead Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1901, c. 70.

1. The Kootenay and Arrowhead Railway Company may, within five years after the passing of this Act, construct and complete the railways and branches which it has been authorized to construct: Provided that as to so much thereof as is not constructed within that period the powers of the said company shall cease and determine. Time for construction extended.

No. 30.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act respecting the Kootenay and Arrowhead Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 31.] **BILL.** [1906.

An Act respecting the White Horse and Alsek Railway Company.

WHEREAS the White Horse and Alsek Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1904, c. 142.

1. Notwithstanding anything in The Railway Act, 1903, the White Horse and Alsek Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may finish the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not finished and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction extended. 1903, c. 58, s. 117.

No. 31.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the White Horse and Alsek Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 32.] **BILL.** [1906.

An Act respecting the Nakusp and Slocan Railway Company.

Preamble. 1893, c. 56; 1898, c. 80; 1901, c. 75.

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

1901, c. 75, s. 1 repealed.

1. Section 1 of chapter 75 of the statutes of 1901 is repealed.

Time for construction extended.

2. The Nakusp and Slocan Railway Company may construct and complete its railways and works within five years after the passing of this Act; provided that as to so much thereof as is not constructed within that period the powers of the said company shall cease and determine.

No. 32.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Nakusp and Slocan Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 33.] **BILL.** [1906.

An Act respecting the British Columbia Southern Railway Company.

Preamble.

1897, c. 36; 1899, c. 55; 1900, c. 52; 1901, c. 49; 1903, c. 87; 1904, c. 52.

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

Time for construction of connecting and branch lines extended.

1. The British Columbia Southern Railway Company, hereinafter called "the Company," may commence within two years and complete within five years after the passing of this Act the railway from Fort Steele to Golden and each of the branch lines which the Company is authorized by section 2 of chapter 55 of the statutes of 1899, and by section 2 of chapter 49 of the statutes of 1901, to construct, acquire and operate.

Time limited.

2. If the Company fails to commence and complete the railways and branches mentioned in this Act within the times limited, the powers granted for their construction shall cease and determine as to so much thereof as then remains uncompleted.

No. 33.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act respecting the British Columbia Southern Railway Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 34.] **BILL.** [1906.

An Act respecting the Columbia and Kootenay Railway and Navigation Company.

Preamble. 1890, c. 87; 1891, c. 71; 1893, c. 45; 1897, c. 41; 1901, c. 55.

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

1901, c. 55, s. 1 repealed.

1. Section 1 of chapter 55 of the statutes of 1901 is repealed.

Time for construction extended.

2. The Columbia and Kootenay Railway and Navigation Company may construct and complete the railways and branches mentioned in chapter 41 of the statutes of 1897, within five years after the passing of this Act; provided that the power hereby granted shall cease and be null and void as to so much thereof as shall not be completed within that period.

No. 34.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Columbia and Kootenay Railway and Navigation Company.

First reading, March 20, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 35.] **BILL.** [1906.

An Act to incorporate the Western Loan and Trust Company.

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

1. A. J. Adamson, James Johnston, and Robert Johnston, all of Winnipeg; Donald H. McDonald, of Fort Qu'Appelle; George E. McCraney, of Rosthern; J. G. Turriff, of Ottawa, together with such persons as become shareholders in the company, are incorporated under the name of "The Western Loan and Trust Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum. Provisional directors.

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

4. The head office of the Company shall be at the city of Winnipeg, in the province of Manitoba, but the directors may establish branch offices and local directorates at such other places as they determine. Head office.

5. The Company shall not commence business until five hundred thousand dollars of the capital stock has been subscribed, and two hundred and fifty thousand dollars paid thereon. When business may be commenced.

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

2. No shareholder shall be eligible for election as a director, unless he holds in his own right at least twenty shares upon which all calls have been paid, and if any director makes an assignment for the benefit of creditors or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company. Qualification of directors.

Calls on stock.

7. Calls on stock may be made by the directors at such times and in such proportions as they deem proper; providing that no call, except the first, shall exceed ten per cent, and that no call shall be made at a less interval than one month from the last preceding call.

Business of Company.

8. The Company may—

Lending money, etc.

(*a*) lend and advance money to any person, by way of loan, or otherwise, on the security of mortgages on real estate, freehold or leasehold, or on the security of the public securities of the Dominion of Canada, or of any of the provinces thereof, or of the debentures of any municipal corporation, school section or school corporation and other such securities; may purchase mortgages on real estate, freehold or leasehold; may purchase the above-mentioned public securities or debentures, and may re-sell any such securities as to them seems advisable; may sell, dispose of and assign mortgages and other securities given or made directly to the Company, and for those purposes may execute such assignments or other instruments as are necessary for carrying the same into effect; may do all other acts necessary for the advancing or laying out such sums of money and for receiving and obtaining payment thereof, or selling or getting in invested moneys, and for compelling the payment of all interest, dividends and income, accruing from such sums so advanced or invested, and for the observance and fulfilment of any conditions attached to such advances or investments; and may give receipts and acquittances and discharges therefor, either absolutely and wholly or partially;

Trust moneys.

(*b*) receive money in trust and otherwise for the purposes herein specified, and invest and accumulate it at such rates of interest as may be obtained therefor;

Trustee.

(*c*) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, such court, judge, officer or person, may appoint the Company, with its consent, to hold such office or trust, and may substitute, if necessary, for any obligations required from a private person appointed to such offices such usual obligations as are applicable to corporations, and may fix the remuneration of the Company; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established, or agreed upon; accept from and execute trusts for married women in respect of their separate property, real or personal, and act as agents for them in the management of such separate property; guarantee repayment of the principal or payment of the interest,

or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agents for countersigning, registering or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and to act generally as fiscal or other agent for any such government or corporate body;

Agent.

(*d*) act as agent or attorney for winding up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

Custodian.

(*e*) be the custodian, on such terms as are agreed upon, of any jewellery, plate and other valuable property, and of deeds, wills, debentures, and other evidences of title or indebtedness;

Management of estates.

(*f*) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Charges.

(*g*) receive and collect such remuneration for its services as is agreed upon or as previously fixed from time to time by its by-laws, and all usual and customary charges, costs and expenses.

Investment of trust moneys.

9. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require,—

Mortgages of real estate.

(*a*) upon first mortgages of improved freehold property in Canada, and may accept personal property or covenants by way of collateral security thereto;

Stock and securities.

(*b*) in the stock, funds or government securities of Canada, or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province, or in the bonds and debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom, or any of the colonies or dependencies thereof;

Securities specified by trust.

(*c*) in such securities as are specified by the terms of the trust.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, order or instrument creating the trust has provided otherwise.

Trust funds to be kept separate.

10. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt or rent and in the overseeing and management of trusts and other pro-

perty, keep distinct records and accounts of all operations connected therewith; provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money in the manner provided by section 9 of this Act in a general trust fund of the Company; provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Proviso.

Trust property not liable for debts of Company.

11. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Accounts to be rendered by Company when made trustee by a court.

12. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer, or person having lawful authority in that behalf, such court, judge, officer or person may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security afforded to those by or for whom its engagements are held, and such persons shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge, officer or person.

Real estate which may be held.

13. The Company may hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of ten thousand dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and may, from time to time, sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of moneys of Company.

14. The Company may invest any moneys forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 9 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, or of the North-west Territories of Canada, as the directors deem expedient.

Note issue prohibited.

Banking prohibited.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance.

16. The powers and authority hereby granted to the Company shall be exercised in any province, subject to the laws of such province in that behalf, and shall not have any force or effect in any province in any respect in which they are inconsistent with the laws of that province. Provincial laws.

17. The Company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock, to an amount not exceeding in the aggregate of all such loans ten per cent of the Company's paid-up stock; but no such loan shall exceed eighty per cent of the then current market value of such stock; and the amount of all such loans or advances by the Company to its shareholders upon the security of their stock shall be deducted from the amount of the paid-up capital upon which the Company is authorized to borrow. Loans upon Company's stock.

18. The Company may borrow money and receive money on deposit, upon such terms as to interest, security, time of payments and otherwise as are agreed upon, and may issue its bonds, debentures and other securities for moneys borrowed, provided that the total of the Company's liability to the public outstanding from time to time shall not exceed three times the amount paid up upon its capital stock; but the amount of cash on hand or deposited in chartered banks belonging to the Company shall be deducted from such total liability for the purpose of this section: Provided that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital and of its cash actually on hand or deposited in any chartered bank in Canada or elsewhere and belonging to the Company. Moneys on deposit. Proviso.

19. The directors of the Company may, with the consent of the shareholders at a special general meeting duly called for the purpose, create and issue debenture stock, in such currency, in such amounts and manner, on such terms as to redemption or payment thereof and otherwise, and bearing such rate of interest as the directors from time to time think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public under section 18 of this Act, and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Debenture stock.

20. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose, wherein shall be set forth the names and addresses of the several persons from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every debenture holder, mortgagee, bond holder, debenture stock holder and shareholder of the Company without the payment of any fee or charge. Such stock shall be trans- Entry in register.

ferable in such amounts and in such manner as the directors determine.

Exchange of debenture stock.

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

Cancellation of debenture stock.

22. The directors of the Company may from time to time as they think fit and for the interest of the Company, buy up and cancel the debenture stock or any portion thereof.

Annual statement to be given to Minister of Finance.

23. The Company shall prepare and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

R.S.C., c. 118.

24. The Companies Clauses Act, except sections 7, 18, 38, 39 and 41 thereof, shall apply to the Company.

No. 35.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Western Loan and Trust Company.

First reading, March 22, 1906.

(PRIVATE BILL.)

MR. ADAMSON.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 36.] **BILL.** [1906.

An Act respecting the Canadian Niagara Power Company.

Preamble.

WHEREAS the Canadian Niagara Power Company has by its petition represented that it was incorporated by chapter 8 of the statutes of 1892 of Ontario, and was thereby empowered to execute the works of development therein more particularly referred to, and that the said works are now in operation; and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Ont., 1892, c. 8.

Provincial charter confirmed.

1. The charter granted to the Canadian Niagara Power Company by chapter 8 of the statutes of 1892 of Ontario, and all amendments thereto, is hereby ratified and confirmed, and the said company is hereby authorized to exercise all powers conferred upon it by the said charter and amendments thereto.

No. 36.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Canadian Niagara Power Company.

First reading, March 22, 1906.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 37.] **BILL.** [1906.

An Act respecting the Montreal Park and Island Railway Company.

Preamble. 1894, c. 84; 1896 (1st Sess.), c. 28.

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

Time for construction extended.

1. The Montreal Park and Island Railway Company, hereinafter called "the Company," may continue the construction of its undertaking and shall complete it before the first day of July, one thousand nine hundred and eleven, to which date the time for completion of its railway is extended (provided always that it shall not construct any railway in Mount Royal Park), otherwise the powers of construction shall cease and be null and void with respect to so much of the undertaking as then remains uncompleted.

1896 (1st Sess.), c. 28, s. 1, repealed. Capital stock. Common shares.

2. Section 1 of chapter 28 of the statutes of 1896 (First Session) is repealed, and in lieu thereof it is enacted that the capital stock of the Company in common shares shall be five million dollars.

Section 4 amended.

3. Subsection 1 of section 4 of the said Act is repealed, and the following is substituted therefor:—

Preference stock.

"**4.** The directors, under the authority of the shareholders to them given at a general meeting specially called for the purpose, at which meeting shareholders holding at least two-thirds in value of the capital stock are present or represented by proxy, may issue preference stock to an amount not exceeding fifty per cent of the capital stock in common shares from time to time outstanding, entitling the holders thereof, in priority to all holders of common shares, to a dividend at such rate and on such terms as the said meeting determines, payable out of the net earnings of the Company after payment of interest on the mortgage bonds of the Company: Provided that nothing in this section shall prejudice the rights of holders of preference stock now outstanding."

Redemption of preference stock.

4. The Company may redeem and cancel any preference stock now outstanding on such terms as are agreed upon with the holders thereof.

Issue of second mortgage bonds.

5. The Company may issue second mortgage bonds at a rate not exceeding twenty thousand dollars per mile of its railway constructed or to be constructed, and may secure such bonds by a conveyance to trustees; but such conveyance shall be subject to the rights of the holders of bonds and of preference stock now outstanding.

No. 37.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Montreal Park and Island Railway Company.

First reading, March 22, 1906.

(PRIVATE BILL.)

MR. GEOFFRION.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 38.] **BILL.** [1906.

An Act to incorporate the Temple Mutual Life Association.

Preamble.

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

Incorporation.

1. Edward Ainslie Braithwaite, of the city of Edmonton, in the province of Alberta; John McKechnie, of the city of Winnipeg, in the province of Manitoba; Elisha Frederick Hutchings, of the city of Winnipeg, Robert Stirton Thornton, of the town of Deloraine, in Manitoba; Edward Oliver Denison, of the town of Minnedosa, in Manitoba; Edward Amos Struthers, of the town of Russell, in Manitoba; Andrew Chisholm, of the town of of Macgregor, in Manitoba, and George B. Murphy, of the town of Moosomin, in the province of Saskatchewan, together with such persons as are members of the Order of Ancient Free and Accepted Masons and become members of the association hereby incorporated, are incorporated under the name of "The Temple Mutual Life Association," hereinafter called "the Association."

Corporate name.

Business of Association.

2. The Association may, subject to this Act, carry on all branches of the business of life insurance on the assessment plan among members of the Order of the Ancient Free and Accepted Masons.

Provisional directors.

3. The persons named in section 1 of this Act shall be the provisional directors of the Association, and five of them shall be a quorum.

Head office.

4. The head office of the Association shall be in the city of Winnipeg, in the province of Manitoba, or in such other place in Canada as the Association determines by law from time to time.

Power to make by-laws.

5. The Association may make rules and by-laws for the guidance of its officers and members, the control and management of its funds, and generally for regulating other matters and things proper or necessary to be done for the good of the Association and the prosecution of its object and business.

Qualifications of members.

6. Every holder of a policy of insurance in the Association who has paid all due premiums or calls thereon shall be a member

of the Association and be entitled to all benefits thereof under the provisions of this Act and the by-laws of the Association.

By-laws to be submitted at meeting of members.

7. The Association shall enact by-laws to carry out the objects of this Act, and for the organization, maintenance and government of the Association, as well as for the application of its funds and profits as hereinbefore provided, and such by-laws shall in the first instance be submitted at a meeting of the members specially called for that purpose, after due notice as hereinafter provided, and may be adopted by a vote of a majority of the members present at the meeting, and may from time to time be altered and amended by the directors under the sanction of a majority of the members present at any meeting called for such purpose, and such by-laws so legally made in accordance with the objects of this Act and not inconsistent with law, shall be legal and binding until altered, amended or repealed.

Directors.

8. The board of directors of the Association shall consist of not less than seven nor more than fifteen directors, five of whom shall form a quorum, and one of such directors shall be elected president and another vice-president by the other directors. Such of the persons named in section 1 of this Act and other persons necessary to complete the board who shall have qualified themselves to act as directors by taking out a policy for at least two thousand dollars, shall be entitled on election by a majority of the votes of duly qualified members at the first general meeting to act as directors of the Association on the first board at the head office, and to continue to act as such for two years immediately subsequent to the organization of the Association, subject to a continuance of qualification, and shall prepare the by-laws for the management of the Association as hereinafter provided.

Qualification of directors.

Officers.

9. The board of directors shall appoint a managing director and all other officers of the Association, and may appoint an executive committee of whom the managing director shall be chairman. The executive committee shall act as an advisory board to the managing director and be a general committee of management. The executive committee may appoint sub-boards and agents whose duties shall be specified in the by-laws of this Association.

Advisory board.

Voting.

10. Every holder of a policy of insurance upon which all premiums due have been paid by him shall have one vote for each one thousand dollars insurance held by him, and no proxy may vote unless he is himself a member qualified to vote.

Policy-holders entitled to benefits of membership.

11. Every person who is a policy-holder shall be a member of the Association, and shall receive a certificate of membership on which shall be printed or to which shall be attached the by-laws, rules and regulations relating to membership or the conditions of membership, and so long as such conditions ars complied with he shall remain a member of the said Association and shall receive all the benefits and profits of membership.

12. This Association shall not assure to any member a certain annuity either immediate or deferred either for life or for a term of years, or any endowment whatever. Annuity.

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

14. The Association may invest its funds, or any portion thereof, in any of the securities mentioned in section 50 of the Insurance Act. Investment of funds. R.S.C., c. 124.

No. 38.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Temple Mutual Life Association.

First reading, March 22, 1906.

(PRIVATE BILL.)

MR. BOLE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 39.] **BILL.** [1906.

An Act respecting the Canada Atlantic Railway Company.

Preamble.

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

Power to acquire shares of Pembroke Southern Railway Co.

1. The Canada Atlantic Railway Company, hereinafter called "the Company," may acquire, hold, pledge and dispose of shares of the capital stock of the Pembroke Southern Railway Company, and may hold the said shares in the name of the Company or of a trustee or trustees for the Company, and may acquire, hold, pledge and dispose of bonds, debentures or other securities of the said Pembroke Southern Railway Company, and may guarantee the payment of the principal and interest of the bonds, debentures or other securities of the said Pembroke Southern Railway Company to be issued for a principal amount not exceeding one hundred and fifty thousand dollars.

Guarantee bonds.

No. 39.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Canada Atlantic Railway Company.

First reading, March 22, 1906.

(PRIVATE BILL.)

MR. MACDONALD.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 40.] **BILL.** [1906.

An Act respecting certain Loan Companies.

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

Investment of funds.

1. Every loan company incorporated under the provisions of chapter 119 of the Revised Statutes of Canada, in addition to the powers vested in it, may from time to time lend money on the security of, or purchase or invest in, (*a*) mortgages or hypothecs upon freehold or leasehold real estate or other immovables, (*b*) the debentures, bonds, stocks and other securities of any government or any municipal or school corporation, or of any chartered bank or incorporated company, if incorporated by the Parliament of Canada, or by the Legislature of any former or present or future province of Canada, but not including bills of exchange or promissory notes.

Personal security.

2. Any such loan company may take personal security as collateral for any advance made or to be made by it, or for any debt due to it.

Loans upon stock of other companies.

3. No such loan company shall invest in, or lend money upon the security of, the stocks of any other loan company.

Loans upon its own stock.

4. Any such loan company may lend upon its own paid-up permanent stock to an amount not exceeding in the aggregate of all such loans ten per cent of the company's paid-up permanent stock, but no such loan shall exceed eighty per cent of the market price then actually offered for the stock; and the company shall not, except as in this section provided, make any loan or advance upon the security of any permanent shares or permanent stock of the company, whether with or without collateral security: Provided however, that the company may pass a by-law prohibiting absolutely the lending to shareholders upon the security of thier stock, or, (subject to the limitations contained in this section) a by-law limiting the aggregate amount which may be loaned on such stock, and the company shall not repeal either of such by-laws until the liabilities of the company are discharged.

Proviso.

No. 40.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting certain Loan Companies.

First reading, March 22, 1906.

Mr. Zimmerman.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 41.] **BILL.** [1906.

An Act respecting the Vancouver, Westminster and Yukon Railway Company.

Preamble. 1901, c. 87; 1905, c. 173.

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

Line of railway authorized.

1. The Vancouver, Westminster and Yukon Railway Company may lay out, construct and operate branch lines of railway from its main line, of the gauge of four feet eight and one-half inches, as follows:—

(*a.*) from a point on the main line between Anderson Lake and Green Lake, running along or near Lilloet Lake, Lillooet River and Harrison Lake, and thence south-easterly to a point on the international boundary line;

(*b.*) from a point on the main line between Lillooet and Quesnel, running in an easterly direction through the basin of Quesnel Lake to a point at or near Tête Jaune Cache;

(*c.*) from a point on the main line bteween the Cottonwood and Willow rivers, running south-easterly to Barkerville;

(*d.*) from a point on the main line in British Columbia on Willow River, running easterly to the Fraser River, thence along the Fraser River to Tête Jaune Cache, thence through the Yellow Head Pass, thence by the most convenient route to Edmonton.

1905, c. 173, new s. 1.

2. Section 1 of chapter 173 of the statutes of 1905 is repealed, and the following is substituted therefor:—

Capital stock.

"**3.** The capital stock of the Company shall be twenty-five million dollars. No one call thereon shall exceed ten per cent on the shares subscribed."

1901, c. 87, new s. 9.

3. Section 9 of chapter 87 of the statutes of 1901 is repealed, and the following is substituted therefor:—

Issue of securities.

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

No. 41.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Vancouver, Westminster and Yukon Railway Company.

First reading, March 23, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 42.] **BILL.** [1906.

An Act to incorporate the Buffalo, Niagara and Toronto Railway Company.

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

1. Welland Deveaux Woodruff, Philip Ingram Price, Frederick North Hara, Robert Fowlie, Henry Yale, all of the city of St. Catharines, in the county of Lincoln, Reuben W. Leonard, of the town of Fort William, in the district of Thunder Bay, Evan J. McIntyre, of the town of Niagara-on-the-Lake, in the county of Lincoln, and Joseph Kilgour, of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of "The Buffalo, Niagara and Toronto 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 six hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be at the city of St. Catharines, in the county of Lincoln. Head office.

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

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

8. The Company may lay out, construct and operate— Line of railway described.

(*a*.) a railway of the gauge of four feet eight and a half inches, from a point in the town of Niagara-on-the-Lake, through the township of Niagara, in the county of Lincoln, and thence through the townships of Stamford, Willoughby and Bertie, in the county of Welland, to a point on the international boundary at or near the village of Fort Erie, in the said county of Welland;

(*b.*) a branch line from a point at or near the village of St. Davids, in the township of Niagara, through the township of Grantham to the city of St. Catharines; and a branch line from the main line through the townships of Humberstone and Bertie, to the village of Port Colborne; and from the main line through the townships of Stamford or Willoughby and Crowland, to the town of Welland.

Navigation.

9. The Company may, for the purpose of its undertaking, carry on the business of navigation on Lake Ontario, the Niagara River and Lake Erie, and acquire, charter, use and maintain steamboats and ferries for the transportation of passengers and freight; and it may acquire water powers for the generation of electricity, or may purchase electric power and operate electric works for the transmission of power, and may convey electric power upon its line of railway, and may sell and dispose of power not required for its undertaking in the municipalities aforesaid, subject, however, to the provisions of section 195 of The Railway Act, 1903.

Transportation.

Electric power.

Docks, warehouses and hotels.

10. The Company may, in connection with its railway and for the purpose of its business, build, construct, operate and maintain docks, warehouses, wharves and hotels at any points along or adjacent to its line of railway.

Issue of securities.

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

Agreements with other companies.

12. Subject to the provisions of sections 281 to 283, both inclusive, of The Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Toronto and Hamilton Railway Company, and the Niagara, St. Catharines and Toronto Railway Company.

No. 42.

2nd Session, 10th Parliament, 6 Edward VII., 190

BILL.

An Act to incorporate the Buffalo, Niaga and Toronto Railway Company.

First reading, March 23, 1906.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 43.] **BILL.** [1906.

An Act to incorporate the Brandon Transfer Railway Company.

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

1. Kenneth Campbell, John Inglis, Alexander Cumming Fraser, Frederick Nation, Alexander Duncan Rankin, John McDiarmid, William Warner, John William Fleming, Alexander B. McLeod, Archibald Forbes Campbell, Joseph Cornell, Oscar Lavelle Harwood, Charles Whitehead, Robert Hall, Beecham Trotter, William James Lindsay, George Robson Coldwell, William Molson Alexander and Thomas James Somerville, together with such persons as become shareholders in the company, are incorporated under the name of "Brandon Transfer Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The railway 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 fifty thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be at the city of Brandon, in the province of Manitoba. Head office.

6. The annual meeting of the shareholders shall be held on the second Tuesday in January. Annual meeting.

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

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point at or near the main line of the Canadian Pacific Railway, where it crosses section twenty-two in township ten and range nineteen west of the principal meridian; thence south or southeast to the southern boundary of the city of Brandon; thence easterly to a point at or near the eastern boundary of the city Line of railway described.

of Brandon, and thence northerly or north-west to the intersection of the main line of the Canadian Pacific Railway at some point in section twenty-four, township ten and range nineteen west of the principal meridian, with power to build spurs and branches from the said line of railway at any points thereon, providing none of the said spurs or branches exceeds six miles in length.

Issue of securities.

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

Agreements with other companies.

10. Subject to the provisions of sections 281 to 283, both inclusive, of The Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Canadian Northern Railway Company, the Brandon, Saskatchewan and Hudson's Bay Railway Company and the Grand Trunk Pacific Railway Company [and any other railway company hereafter incorporated and entering the city of Brandon].

Running and operating arrangements.

11. The Company may make running and operating arrangements with any railway company whose line is now constructed or is hereafter constructed to a point within the corporate limits of the city of Brandon, upon terms to be approved by two-thirds of the shareholders at the annual meeting or at a special meeting duly called for that purpose.

Elevators and warehouses.

12. The Company may construct and operate elevators and warehouses along or adjacent to its line of railway.

No. 43.

2nd Session, 10th Parliament, 6 Edward VII

BILL.

An Act to incorporate the Br
Transfer Railway Company.

First reading, March 23, 1906

(PRIVATE BILL.)

MR. SI

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Maj
1906

No. 44.] **BILL.** [1906.

An Act respecting the Kingston and Pembroke Railway Company.

Preamble.

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

Time for construction extended.

1. The Kingston and Pembroke Railway Company may commence within two years and complete within five years after the passing of this Act the railways and branches which it has been authorized to construct: Provided that as to so much thereof as is not so completed the powers of the said company shall cease and determine.

No. 44.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Kingston and Pembroke Railway Company.

First reading, March 23, 1906.

(PRIVATE BILL.)

MR. HALL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 45.] **BILL.** [1906.

An Act respecting a patent of the Anderson Puffed Rice Company.

Preamble.

WHEREAS The Anderson Puffed Rice Company, a corporation of the state of New Jersey, one of the United States, and the American Cereal Company, a corporation of the state of Ohio, one of the United States, have by their petition represented that the Anderson Puffed Rice Company is the holder and owner of a certain patent issued under the seal of the Patent Office, as assignee of the original grantee, Alexander Pierce Anderson, of the city of Chicago, in the state of Illinois, one of the United States, which said patent is numbered eighty-four thousand five hundred and fifty-nine, and is dated the twenty-second day of December, one thousand nine hundred and three, being for improvements in starch material products, and that the American Cereal Company, as licensee of the said Anderson Puffed Rice Company, has the exclusive right to manufacture and sell throughout Canada the starch material products covered by the said patent; and whereas the said companies have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Importation not to affect validity of patent.

1. Notwithstanding anything in The Patent Act, as amended by chapter 46 of the statutes of 1903, or in the patent mentioned in the preamble, the importation of the starch material products, described and claimed in the said patent, beyond the authorized period, and at any time during the period between the twenty-first day of December, one thousand nine hundred and four and the fourth day of November, one thousand nine hundred and five, by the Anderson Puffed Rice Company and the American Cereal Company in the preamble mentioned, or either of them, or by their or any of their legal representatives, shall in no way cause forfeiture of any rights acquired under the said patent, and such importation beyond the authorized period shall not be deemed in any way to have affected the validity of the said patent; but the said patent shall be considered in all respects as if an extension of the period of importation had been obtained up to the said fourth day of November, one thousand nine hundred and five.

No. 45.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting a patent of the Anderson Puffed Rice Company.

First reading, March 23,1906.

(PRIVATE BILL.)

MR. HALL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 46.] **BILL.** [1906.

An Act respecting the St. Clair and Erie Ship Canal Company.

Preamble.

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

1899, c. 128; 1900, c. 119; 1902, c. 98; 1904, c. 122.

Acts revived.

1. Subject to the provisions of this Act, the Act to incorporate the St. Clair and Erie Ship Canal Company, being chapter 128 of the statutes of 1899, and the Acts respecting the said company, being chapter 119 of the statutes of 1900 and chapter 122 of the statutes of 1904, are revived and declared to be in force; and if the construction of the canal thereby authorized to be constructed is not commenced, and ten 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 canal is not finished and put in operation within five years after the passing of this Act, the powers granted by the said Acts and by this Act shall cease and be null and void as respects so much of the canal as then remains uncompleted.

Extension of time.

No. 46.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the St. Clair and Erie Ship Canal Company.

First reading, March 26, 1906.

(PRIVATE BILL.)

MR. TISDALE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 47.] **BILL.** [1906.

An Act respecting Forest Reserves.

Preamble.

WHEREAS it is expedient that reserves of Dominion lands in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia should be made in order to protect and improve the forests for the purpose of maintaining a permanent supply of timber, to maintain conditions favorable to a continuous water supply, and to protect, so far as the Parliament of Canada has jurisdiction, the animals, fish and birds within the respective boundaries of such reserves, and otherwise to provide for the protection of the forests in the said provinces: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Title of Act.

1. This Act may be cited as the Dominion Forest Reserves Act.

Lands in schedule withdrawn from sale and occupancy.

2. All Dominion lands within the respective boundaries of the reserves mentioned in the schedule to this Act are hereby withdrawn from sale, settlement and occupancy under the provisions of the Dominion Lands Act, or of any other Act, or of any regulations made thereunder with respect to mines or mining or timber or timber licenses or leases or any other matter whatsoever, and after the passing of this Act no Dominion lands within the boundaries of the said reserves shall be sold, leased or otherwise disposed of, or be located or settled upon, and no person shall use or occupy any part of such lands, except under regulations made under this Act.

Dominion Forest Reserves.

3. The said reserves are hereby set apart and established and shall hereafter be and be known as Dominion Forest Reserves, for the maintenance and protection of the timber growing or which may hereafter grow therein, and for the protection, so far as the Parliament of Canada has jurisdiction, of the animals and birds therein, and the fish in the waters therein; but subject to such regulations as may be made under the provisions of section 4 of this Act.

Control and management.

4. The said reserves shall be under the control and management of the Superintendent of Forestry, or such other person as is from time to time in charge of forestry for Canada, subject to the direction of the Minister of the Interior; and the Governor in Council may make regulations, not inconsistent with the provisions of this Act, for the maintenance, protection, care, management and utilization of such reserves, and of the timber and minerals therein, and, so far as the Parliament of

Regulations.

Canada has jurisdiction, of the animals and birds therein and the fish in the waters therein, and for the prevention of trespass thereon.

Publication and force of regulations.

2. Such regulations shall be published for four consecutive weeks in the *Canada Gazette*, and shall thereupon have the same force and effect as if herein enacted, and the said regulations shall be laid before Parliament during the first fifteen days of the then next session thereof.

Forest rangers.

5. The Minister of the Interior may appoint forest rangers for the purpose of carrying out the provisions of this Act, and every such ranger shall, for the purpose of this Act, have within the district for which he is appointed all the powers of a justice of the peace.

Powers.

Oath of rangers.

6. Every such ranger shall, before acting in that capacity, take and subscribe before a judge or notary public, or the Superintendent of Forestry or other person in charge of forestry for Canada, an oath in the words following:—

"I, A. B., a forest ranger in and for the district or territory described in my appointment, do solemnly swear that, to the best of my judgment, I will faithfully, honestly and impartially fulfil, execute and perform the office and duty of such forest ranger according to the true intent and meaning of the Dominion Forest Reserves Act, and of all regulations made or to be made thereunder; so help me God."

Exchange of land within reserves for other Dominion lands.

7. The Governor in Council may exchange for any land within any such reserve, the title to which is not vested in the Crown in the right of Canada, available Dominion lands situated outside the boundaries of such reserves and, where necessary, may make compensation upon such exchange, and a copy of every order in council making such exchange shall be laid before Parliament during the first fifteen days of the then next session thereof.

Road allowances may be included in reserve.

8. Where a road allowance within the boundaries of any such reserve has been vested in the Crown in the right of the province in which it is situated, or has passed under the control of the executive authorities of the province, such road allowance may, with the consent of the Lieutenant Governor of the province in Council, be included in and form part of such reserve and may be closed by any fence which may be erected for the enclosure of such reserve, or any part thereof.

Roads may be established.

9. Notwithstanding anything in this Act, the Governor in Council may cause to be established through and over any such reserve such roads as are necessary for the convenience of the public, and nothing in this Act or in any regulation made thereunder shall prevent the proper use of such roads by bona fide travellers or by others requiring to cross such reserve in the pursuit of their ordinary business or calling, but nothing in this section shall operate to withdraw such roads from the reserve.

Rangers to protect forests from fires caused by railways.

10. During the construction of any railway passing through Dominion lands, the Minister of the Interior may appoint such forest rangers as he deems necessary for the protection from fire of the forests along or adjacent to such railway, and it shall be the duty of every such ranger to enforce the provisions of this Act and any regulations made thereunder, and of any other Act or regulation in force in his district which relates to the prevention of fires; and for such purposes and within a tract of five miles on either side of such railway every such ranger shall have all the powers of a justice of the peace, and one-half of the expenses incident to and connected with such fire ranging shall be a debt due to the Crown from the person constructing such railway and shall be payable upon demand of the Minister of the Interior, and may be recovered at the suit of the Crown in any court of competent jurisdiction.

Powers.

Expenses of fire ranging.

Governor in Council may make regulations.

2. The Governor in Council may make such regulations as he deems necessary or expedient to give full effect to the object and intention of this section.

Release of interest to land within reserves.

11. The Governor in Council may secure from the holder of any title to or interest in any land within the limits of a forest reserve such release of his rights as will permit the operation of any regulations made under this Act for the prevention of trespass and the protection of game upon such land, and, where necessary, may make compensation therefor, and from the date of such release, and to the extent therein agreed upon, this Act and the regulations made thereunder shall apply to such lands.

Act does not apply to land to which Crown has no title.

12. This Act shall not apply to lands within the boundaries of any reserve set aside and established under the provisions thereof the title to which reserve is not vested in the Crown in the right of Canada at the date of the passing of this Act, and shall not apply during the term of any leasehold or other right to lands which are held under such leasehold or right at the date of the passing of this Act.

Penalties.

13. Any person violating any provision of this Act or any regulation made thereunder shall, in addition to any civil liability thereby incurred, be liable, on summary conviction, to a penalty of not more than hundred dollars and not less than dollars, and in default of immediate payment of such penalty and of the costs of prosecution such person may be imprisoned, with or without hard labour, for any term not exceeding months.

SCHEDULE.

The Dominion Forest Reserves set apart and established under the provisions of section 2 of the Dominion Forest Reserves Act, and the boundaries of each of such reserves.

1.—PROVINCE OF BRITISH COLUMBIA.

1. The Long Lake Dominion Forest Reserve, in the railway belt, in the province of British Columbia, consisting of

townships 17 and 18 in range 19 and the west two-thirds of townships 17 and 18 in range 18; all west of the 6th initial meridian; containing 118 square miles more or less.

PROVINCE OF MANITOBA.

2. The Riding Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of township 18, range 16; of township 19, ranges 16, 17, 19 and 20; of township 20, ranges 17, 18, 19 and 20; of township 21, ranges 17, 18, 19, 20, 21, 22 and 23; of township 22, ranges 18, 19, 20, 21, 22, 23, 24, 25 and 26; of township 23, ranges 24 and 25; of township 24, ranges 26 and 27; of township 25, ranges 26 and 27; the following sections in township 18, range 17, namely, sections 1, 13, 24, 25, 26, 35, and 36, and the east half of section 12; in township 18, range 19, sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; the north-east quarter of township 18, range 20; in township 20, range 21, sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the north half of township 20, range 22; all of township 23, range 26, except section 6; in township 25, range 25, sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, and those parts of sections 31, 32 and 33 which may not be included in the Gambler Indian Reserve, probably one and a half square miles; the west half of township 24, range 25; in township 23, range 23, the following sections, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30; in township 23, range 22, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24; in township 23, range 21, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, and the south half of 22; all of that portion of township 23, range 20, lying south and east of the Vermilion river, excepting sections 36 and that part of section 35 lying east of the said river; in township 23, range 19, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30; in township 23, range 18, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 29 and 30; in township 22, range 17, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, and the west half of sections 1, 12 and 13; in township 21, range 16, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and the south half and north-west quarter of section 14; all of township 20, range 16, except the north-east quarter of section 36; all of township 19, range 18, except the south-west quarter and the west half of the south-east quarter of section 3, and the east half of the south-east quarter of section 4: all of the above being west of the first principal meridian, and containing in all 1,535 square miles, more or less.

3. The Turtle Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of all of township 1 in ranges 20 and 21, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30 and 31, and the west half of section 27, township 1, range 19, and sections 1, 2, 11, 12, 13, 14, 24, 25, 26, and the east half of section 23 and the

south-east quarter of section 26 in township 1, range 22: all west of the first principal meridian and containing 109¼ square miles, more or less.

4. The Lake Manitoba West Dominion Forest Reserve, in the province of Manitoba, consisting of township 21, ranges 11, 12 and 13; township 22, ranges 12 and 13; township 23, range 13; and that part of township 23, range 12, not included in the Ebb and Flow Indian Reserve No. 52: all lying west of the first principal meridian and containing 248 square miles, more or less.

5. The Spruce Woods Dominion Forest Reserve, in the province of Manitoba, consisting of all of township 9, range 11; all of township 9, range 15; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30, township 9, ranges 12 and 13; all of township 9, range 14, except sections 31, 32, 33, 34, 35, 36, and the south half of section 1; sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, in township 9, range 16; sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21 in township 10, range 15; sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29 and 30, in township 10, range 16; all of township 8, range 12, except section 1 and the south-east quarter of section 12; sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 23, 24, 25, 26, 35, 36, and the east half of section 34 in township 8, range 13; sections 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 in township 8, range 14; sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, in township 8, range 15; all lying west of the 1st principal meridian, and containing 295¾ square miles, more or less.

6. The Duck Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of township 27, ranges 24, 25 and 26; township 28, ranges 24, 25 and 26; township 29, ranges 23, 24, 25, 26, 27; township 30, ranges 23, 24, 25, 26, 27; township 31, ranges 23, 24, 25, 26, 27; township 32, ranges 24, 25, 26, 27; township 33, ranges 24, 25, 26, 27; township 34, ranges 24, 25, 26; township 35, range 24; north-west quarter of township 26, range 24; north half of township 26, ranges 25 and 26; east half of township 35, range 25; west half of township 33, range 23; west half of township 28, range 23; all west of the 1st principal meridian and containing 1,251 square miles more or less.

7. The Porcupine Mountain Dominion Forest Reserve, in the province of Manitoba, comprising all that portion of the said province lying north of the north boundary of township 38 and west and south of Lake Winnipegosis and including the islands in that part of the said lake north of the north boundary of said township 38 produced, containing 2,412 square miles, more or less.

PROVINCE OF SASKATCHEWAN.

8. The Beaver Hills Dominion Forest Reserve, in the province of Saskatchewan, consisting of township 26, ranges 9 and 10, west of the second principal meridian, containing 72 square miles, more or less.

9. The Pines Dominion Forest Reserve, in the province of Saskatchewan, consisting of all of township 47, range 2; all of township 46, range 2, except sections 5 and 6; sections 25, 26, 35 and 36, in township 45, range 2; sections 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, and 33, in township 45, range 1; sections 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and 34, in township 46, range 1; sections 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32 and 33, in township 47, range 1; sections 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, and those parts of sections 5, 8, 9 and 16, lying east of the north branch of the Saskatchewan river, in township 48, range 2: all lying west of the 3rd principal meridian and containing 145 square miles, more or less.

10. The Moose Mountain Dominion Forest reserve, in the province of Saskatchewan, consisting of all of township 10, range 14; all of township 10, range 3, not included in the White Bear Indian Reserve No. 70; sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, and those parts of sections 7, 8, 9, 10, 11 not included in the White Bear Indian Reserve No. 70 in township 10, range 2; sections 1, 2, 3, 4, 5, 6, 9, 10, 11, the south half of section 7 and the south half and north-east quarter of section 8, in township 11, range 3; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and the west half of section 12 in township 11, range 4; sections 1, 2, 11, 12, in township 11, range 5; sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 35 and 36, and those parts of sections 4, 9, 16 and 21 which were not included in the old Indian Reserves Pheasant's Rump No. 68 and the Ocean Man No. 69, in township 10, range 5; sections 24, 25, 26, 34, 35, 36; the north half and south-east quarter of section 23; the north half and south-east quarter of section 27, and that part of the north-east quarter of section 28 and of the east half of section 23, which were not included in the old Ocean Man Indian Reserve No. 69, in township 9, range 5; sections 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, in township 9, range 4; sections 19, 20, 21, 28, 29, 30, 31 32, 33, and those parts of sections 22, 27 and 34, not included in the White Bear Indian Reserve No. 70 in township 9, range 3: all west of the 2nd principal meridian and containing 163 square miles more or less.

No. 47.

2nd Session, 10th Parliament, 6 Edward VII, 1906

BILL.

An Act respecting Forest Reserves

First reading, March 26, 1906.

Mr. Oliver

OTTAWA
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1906

No. 47.] **BILL.** [1906.

An Act respecting Forest Reserves.

[Reprinted as amended in Committee of the Whole House.]

Preamble.

WHEREAS it is expedient that reserves of Dominion lands in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia should be made in order to protect and improve the forests for the purpose of maintaining a permanent supply of timber, to maintain conditions favorable to a continuous water supply, and to protect, so far as the Parliament of Canada has jurisdiction, the animals, fish and birds within the respective boundaries of such reserves, and otherwise to provide for the protection of the forests in the said provinces: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Title of Act.

1. This Act may be cited as the Dominion Forest Reserves Act.

Lands in schedule withdrawn from sale and occupancy.

2. All Dominion lands within the respective boundaries of the reserves mentioned in the schedule to this Act are hereby withdrawn from sale, settlement and occupancy under the provisions of the Dominion Lands Act, or of any other Act, or of any regulations made thereunder with respect to mines or mining or timber or timber licenses or leases or any other matter whatsoever, and after the passing of this Act no Dominion lands within the boundaries of the said reserves shall be sold, leased or otherwise disposed of, or be located or settled upon, and no person shall use or occupy any part of such lands, except under regulations made under this Act.

Dominion Forest Reserves.

3. The said reserves are hereby set apart and established and shall hereafter be and be known as Dominion Forest Reserves, for the maintenance and protection of the timber growing or which may hereafter grow therein, and for the protection, so far as the Parliament of Canada has jurisdiction, of the animals and birds therein, and the fish in the waters therein; but subject to such regulations as may be made under the provisions of section 4 of this Act.

Control and management.

4. The said reserves shall be under the control and management of the Superintendent of Forestry, or such other person as is from time to time in charge of forestry for Canada, subject to the direction of the Minister of the Interior; and the Governor in Council may make regulations, not inconsistent with the provisions of this Act, for the maintenance, protection, care, management and utilization of such reserves, and of the timber and minerals therein, and, so far as the Parliament of

Regulations.

Canada has jurisdiction, of the animals and birds therein and the fish in the waters therein, and for the prevention of trespass thereon.

Publication and force of regulations.

2. Such regulations shall be published for four consecutive weeks in the *Canada Gazette*, and shall thereupon have the same force and effect as if herein enacted, and the said regulations shall be laid before Parliament during the first fifteen days of the then next session thereof.

Forest rangers.

5. The Minister of the Interior may appoint forest rangers for the purpose of carrying out the provisions of this Act, and every such ranger shall, for the purpose of this Act, have within the district for which he is appointed all the powers of a justice of the peace.

Powers.

Oath of rangers.

6. Every such ranger shall, before acting in that capacity, take and subscribe before a judge or notary public, or the Superintendent of Forestry or other person in charge of forestry for Canada, an oath in the words following:—

"I, A. B., a forest ranger in and for the district or territory described in my appointment, do solemnly swear that, to the best of my judgment, I will faithfully, honestly and impartially fulfil, execute and perform the office and duty of such forest ranger according to the true intent and meaning of the Dominion Forest Reserves Act, and of all regulations made or to be made thereunder; so help me God."

Exchange of land within reserves for other Dominion lands.

7. The Governor in Council may exchange for any land within any such reserve, the title to which is not vested in the Crown in the right of Canada, available Dominion lands situated outside the boundaries of such reserves and, where necessary, may make compensation upon such exchange, and a copy of every order in council making such exchange shall be laid before Parliament during the first fifteen days of the then next session thereof.

Road allowances may be included in reserve.

8. Where a road allowance within the boundaries of any such reserve has been vested in the Crown in the right of the province in which it is situated, or has passed under the control of the executive authorities of the province, such road allowance may, with the consent of the Lieutenant Governor of the province in Council, be included in and form part of such reserve and may be closed by any fence which may be erected for the enclosure of such reserve, or any part thereof.

Roads may be established.

9. Notwithstanding anything in this Act, the Governor in Council may cause to be established through and over any such reserve such roads as are necessary for the convenience of the public, and nothing in this Act or in any regulation made thereunder shall prevent the proper use of such roads by bona fide travellers or by others requiring to cross such reserve in the pursuit of their ordinary business or calling, but nothing in this section shall operate to withdraw such roads from the reserve.

10. During the construction of any railway passing through Dominion lands, the Minister of the Interior may appoint such forest rangers as he deems necessary for the protection from fire of the forests along or adjacent to such railway, and it shall be the duty of every such ranger to enforce the provisions of this Act and any regulations made thereunder, and of any other Act or regulation in force in his district which relates to the prevention of fires; and for such purposes and within a tract of five miles on either side of such railway every such ranger shall have all the powers of a justice of the peace, and one-half of the expenses incident to and connected with such fire ranging shall be a debt due to the Crown from the person constructing such railway and shall be payable upon demand of the Minister of the Interior, and may be recovered at the suit of the Crown in any court of competent jurisdiction.

Rangers to protect forests from fires caused by railways.

Powers.

Expenses of fire ranging.

2. The Governor in Council may make such regulations as he deems necessary or expedient to give full effect to the object and intention of this section.

Governor in Council may make regulations.

11. The Governor in Council may secure from the holder of any title to or interest in any land within the limits of a forest reserve such release of his rights as will permit the operation of any regulations made under this Act for the prevention of trespass and the protection of game upon such land, and, where necessary, may make compensation therefor, and from the date of such release, and to the extent therein agreed upon, this Act and the regulations made thereunder shall apply to such lands.

Release of interest to land within reserves.

12. This Act shall not apply to lands within the boundaries of any reserve set aside and established under the provisions thereof the title to which reserve is not vested in the Crown in the right of Canada at the date of the passing of this Act, and shall not apply during the term of any leasehold or other right to lands which are held under such leasehold or right at the date of the passing of this Act.

Act does not apply to land to which Crown has no title.

13. Any person violating any provision of this Act or any regulation made thereunder shall, in addition to any civil liability thereby incurred, be liable, on summary conviction, to a penalty of not more than hundred dollars and not less than dollars, and in default of immediate payment of such penalty and of the costs of prosecution such person may be imprisoned, with or without hard labour, for any term not exceeding months.

Penalties.

SCHEDULE.

The Dominion Forest Reserves set apart and established under the provisions of section 2 of the Dominion Forest Reserves Act, and the boundaries of each of such reserves.

PROVINCE OF BRITISH COLUMBIA.

1. The Long Lake Dominion Forest Reserve, in the railway belt, in the province of British Columbia, consisting of

townships 17 and 18 in range 19 and the west two-thirds of townships 17 and 18 in range 18; all west of the 6th initial meridian; containing 118 square miles more or less.

2. The Monte Hills Reserve, in the said railway belt, consisting of the west half of township 17, range 14, and the whole of township 17, range 15, lying west of the sixth initial meridian, and containing 54 square miles, more or less.

3. The Martin Mountain Reserve, in the said railway belt, consisting of the south-west quarter of township 19, range 13, and the south-east quarter of township 19, range 14, west of the sixth meridian, and containing 18 square miles, more or less.

4. The Fly Hill Reserve, in the said railway belt, consisting of township 20, range 12, west of the sixth meridian, and containing 36 square miles, more or less.

5. The Niskonlith Reserve, in the said railway belt, consisting of township 21, range 14, and township 22, range 14, west of the sixth meridian, and containing 72 square miles, more or less.

6. The Arrow Stone Reserve, in the said railway belt, consisting of township 22, range 24; the west half of township 23, range 22; township 23, range 23; and township 23, range 24; all west of the sixth meridian, and containing 126 square miles, more or less.

7. The Tranquille Reserve, in the said railway belt, consisting of township 22, ranges 18 and 19, west of the sixth meridian, and containing 72 square miles, more or less.

8. The Hat Creek Reserve, in the said railway belt, consisting of the north-east quarter of township 17, range 27; township 18, range 26; the east five tiers of sections in township 18, range 27; the west two tiers of sections in township 19, range 25; the east half of township 19, range 26; township 19, range 27; township 19, range 28, to the limit of the railway belt; the west two tiers of sections in township 20, range 25; the east half of township 20, range 26; all lying west of the sixth meridian, and containing 177 square miles, more or less.

PROVINCE OF MANITOBA.

9. The Riding Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of township 18, range 16; of township 19, ranges 16, 17, 19 and 20; of township 20, ranges 17, 18, 19 and 20; of township 21, ranges 17, 18, 19, 20, 21, 22 and 23; of township 22, ranges 18, 19, 20, 21, 22, 23, 24, 25 and 26; of township 23, ranges 24 and 25; of township 24, ranges 26 and 27; of township 25, ranges 26 and 27; the following sections in township 18, range 17, namely, sections 1, 13, 24, 25, 26, 35, and 36, and the east half of section 12; in township 18, range 19, sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; the north-east quarter of township 18, range 20; in township 20, range 21, sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the north half of township 20, range 22; all of township 23, range 26, except section 6; in township 25, range 25, sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28,

29, 30, and those parts of sections 31, 32 and 33 which may not be included in the Gambler Indian Reserve, probably one and a half square miles; the west half of township 24, range 25; in township 23, range 23, the following sections, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30; in township 23, range 22, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24; in township 23, range 21, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, and the south half of 22; all of that portion of township 23, range 20, lying south and east of the Vermilion river, excepting sections 36 and that part of section 35 lying east of the said river; in township 23, range 19, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30; in township 23, range 18, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 29 and 30; in township 22, range 17, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, and the west half of sections 1, 12 and 13; in township 21, range 16, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and the south half and north-west quarter of section 14; all of township 20, range 16, except the north-east quarter of section 36; all of township 19, range 18, except the south-west quarter and the west half of the south-east quarter of section 3, and the east half of the south-east quarter of section 4: all of the above being west of the first principal meridian, and containing in all 1,535 square miles, more or less.

10. The Turtle Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of all of township 1 in ranges 20 and 21, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30 and 31, and the west half of section 27, township 1, range 19, and sections 1, 2, 11, 12, 13, 14, 24, 25, 26, and the east half of section 23 and the south-east quarter of section 26 in township 1, range 22: all west of the first principal meridian and containing 109¼ square miles, more or less.

11. The Lake Manitoba West Dominion Forest Reserve, in the province of Manitoba, consisting of township 21, ranges 11, 12 and 13; township 22, ranges 12 and 13; township 23, range 13; and that part of township 23, range 12, not included in the Ebb and Flow Indian Reserve No. 52: all lying west of the first principal meridian and containing 248 square miles, more or less.

12. The Spruce Woods Dominion Forest Reserve, in the province of Manitoba, consisting of all of township 9, range 15; sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, in township 9, range 16; sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20 and 21, in township 10, range 15; sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29 and 30, in township 10, range 16; sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, in township 8, range 15; all lying west of the first principal meridian, and containing 110 square miles, more or less.

13. The Duck Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of township 27, ranges 24, 25 and

26; township 28, ranges 24, 25 and 26; township 29, ranges 23, 24, 25, 26, 27; township 30, ranges 23, 24, 25, 26, 27; township 31, ranges 23, 24, 25, 26, 27; township 32, ranges 24, 25, 26, 27; township 33, ranges 24, 25, 26, 27; township 34, ranges 24, 25, 26; township 35, range 24; north-west quarter of township 26, range 24; north half of township 26, ranges 25 and 26; east half of township 35, range 25; west half of township 33, range 23; west half of township 28, range 23; all west of the 1st principal meridian and containing 1,251 square miles more or less.

14. The Porcupine Dominion Forest Reserve No. 1, in the province of Manitoba, consisting of township 40, range 29; township 41, ranges 27, 28 and 29; township 42, ranges 27, 28 and 29; township 43, ranges 27 and 28; all west of the first principal meridian, and containing 324 square miles, more or less.

PROVINCE OF SASKATCHEWAN.

15. The Beaver Hills Dominion Forest Reserve, in the province of Saskatchewan, consisting of township 26, ranges 9 and 10, west of the second principal meridian, containing 72 square miles, more or less.

16. The Pines Dominion Forest Reserve, in the province of Saskatchewan, consisting of all of township 47, range 2; all of township 46, range 2, except sections 5 and 6; sections 25, 26, 35 and 36, in township 45, range 2; sections 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, and 33, in township 45, range 1; sections 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and 34, in township 46, range 1; sections 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32 and 33, in township 47, range 1; sections 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, and those parts of sections 5, 8, 9 and 16, lying east of the north branch of the Saskatchewan river, in township 48, range 2: all lying west of the 3rd principal meridian and containing 145 square miles, more or less.

17. The Moose Mountain Dominion Forest Reserve, inthe province of Saskatchewan, consisting of all of township 10, range 14; all of township 10, range 3, not included in the White Bear Indian Reserve No. 70; sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, and those parts of sections 7, 8, 9, 10, 11 not included in the White Bear Indian Reserve No. 70 in township 10, range 2; sections 1, 2, 3, 4, 5, 6, 9, 10, 11, the south half of section 7 and the south half and north-east quarter of section 8, in township 11, range 3; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and the west half of section 12 in township 11, range 4; sections 1, 2, 11, 12, in township 11, range 5; sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 35 and 36, and those parts of sections 4, 9, 16 and 21 which were not included in the old Indian Reserves Pheasant's Rump No. 68 and the Ocean Man No. 69, in township 10, range 5; sections 24, 25, 26, 34, 35, 36; the north half and south-east quarter of section 23; the north half and south-east quarter of section 27, and that part of the north-east quarter of section 28 and of the east half of section 23, which were not included in the old Ocean Man Indian Reserve No. 69, in township 9, range 5; sections 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and

36, in township 9, range 4; sections 19, 20, 21, 28, 29, 30, 31 32, 33, and those parts of sections 22, 27 and 34, not included in the White Bear Indian Reserve No. 70 in township 9, range 3: all west of the 2nd principal meridian and containing 163 square miles more or less.

18. The Porcupine Dominion Forest Reserve No. 2, in the province of Saskatchewan, consisting of township 39, ranges 30 and 31; township 40, ranges 30 and 31; township 41, ranges 30 and 31; township 42, range 30; all west of the first principal meridian, and containing 252 square miles, more or less.

PROVINCE OF ALBERTA.

19. The Cooking Lake Dominion Forest Reserve, in the province of Alberta, consisting of township 52, range 19, west half; township 52, range 20; township 53, range 20; township 54, range 19, sections 18, 19, 30 and 31; township 54, range 20, sections 2, 3, 4, 5, 9, 10, 11, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36; township 51, range 21, section 7; all lying west of the fourth principal meridian, and containing 114 square miles, more or less.

20. The Cypress Hills Reserve, in the province of Alberta, consisting of the south half of township 8, range 3, west of the fourth principal meridian.

No. 47.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Forest Reserves.

[*Reprinted as amended in Committee of the Whole House.*]

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 47.] **BILL.** [1906.

An Act respecting Forest Reserves.

[Second reprint, as amended in Committee of the Whole House.]

Preamble.

WHEREAS it is expedient that reserves of Dominion lands in the provinces of Manitoba, Saskatchewan, Alberta and British Columbia should be made in order to protect and improve the forests for the purpose of maintaining a permanent supply of timber, to maintain conditions favorable to a continuous water supply, and to protect, so far as the Parliament of Canada has jurisdiction, the animals, fish and birds within the respective boundaries of such reserves, and otherwise to provide for the protection of the forests in the said provinces: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title.

1. This Act may be cited as the Dominion Forest Reserves Act.

Lands in schedule withdrawn from sale and occupancy.

2. All Dominion lands within the respective boundaries of the reserves mentioned in the schedule to this Act are hereby withdrawn from sale, settlement and occupancy under the provisions of the Dominion Lands Act, or of any other Act, or of any regulations made thereunder with respect to mines or mining or timber or timber licenses or leases or any other matter whatsoever, and after the passing of this Act no Dominion lands within the boundaries of the said reserves shall be sold, leased or otherwise disposed of, or be located or settled upon, and no person shall use or occupy any part of such lands, except under the provisions of this Act or any regulations made thereunder.

Dominion Forest Reserves.

3. The said reserves are hereby set apart and established and shall hereafter be and be known as Dominion Forest Reserves, for the maintenance and protection of the timber growing or which may hereafter grow therein, and for the protection, so far as the Parliament of Canada has jurisdiction, of the animals and birds therein, and the fish in the waters therein; but subject to such regulations as may be made under the provisions of section 4 of this Act.

Control and management.

4. The said reserves shall be under the control and management of the Superintendent of Forestry, or such other person as is from time to time in charge of forestry for Canada, subject to the direction of the Minister of the Interior; and the Governor in Council may make regulations, not inconsistent with the provisions of this Act, for the maintenance, protection, care, management and utilization of such reserves, and of the timber and minerals therein, and, so far as the Parliament of

Regulations.

Canada has jurisdiction, of the animals and birds therein and the fish in the waters therein, and for the prevention of trespass thereon.

Publication and force of regulations.

2. Such regulations shall be published for four consecutive weeks in the *Canada Gazette*, and shall thereupon have the same force and effect as if herein enacted, and the said regulations shall be laid before Parliament during the first fifteen days of the then next session thereof.

Forest rangers.

5. The Minister of the Interior may appoint forest rangers for the purpose of carrying out the provisions of this Act, and every such ranger shall, for the purpose of this Act, have within the district for which he is appointed all the powers of a justice of the peace.

Powers.

Oath of rangers.

6. Every such ranger shall, before acting in that capacity, take and subscribe before a judge or notary public, or the Superintendent of Forestry or other person in charge of forestry for Canada, an oath in the words following:—

"I, A. B., a forest ranger in and for the district or territory described in my appointment, do solemnly swear that, to the best of my judgment, I will faithfully, honestly and impartially fulfil, execute and perform the office and duty of such forest ranger according to the true intent and meaning of the Dominion Forest Reserves Act, and of all regulations made or to be made thereunder; so help me God."

Exchange of land within reserves for other Dominion lands.

7. The Governor in Council may exchange for any land within any such reserve, the title to which is not vested in the Crown in the right of Canada, available Dominion lands situated outside the boundaries of such reserves and, where necessary, may make compensation upon such exchange, and a copy of every order in council authorizing such exchange shall be laid before Parliament during the first fifteen days of the then next session thereof.

Road allowances may be included in reserve.

8. Where a road allowance within the boundaries of any such reserve has been vested in the Crown in the right of the province in which it is situated, or has passed under the control of the executive authorities of the province, such road allowance may, with the consent of the Lieutenant Governor of the province in Council, be included in and form part of such reserve and may be closed by any fence which may be erected for the enclosure of such reserve, or any part thereof.

Roads may be established.

9. Notwithstanding anything in this Act, the Governor in Council may cause to be established through and over any such reserve such roads as are necessary for the convenience of the public, and nothing in this Act or in any regulation made thereunder shall prevent the proper use of such roads by bona fide travellers or by others requiring to cross such reserve in the pursuit of their ordinary business or calling, but nothing in this section shall operate to withdraw such roads from the reserve.

Rangers to protect forests from fires caused by railways.

10. During the construction of any railway passing through Dominion lands, the Minister of the Interior may appoint such forest rangers as he deems necessary for the protection from fire of the forests along or adjacent to such railway, and it shall be the duty of every such ranger to enforce the provisions of this Act and any regulations made thereunder, and of any other Act either of the Parliament of Canada or of the province in which such lands are situated, when and in so far as such Acts or any regulations made thereunder relate to the prevention of fires and are in force in the district for which such ranger is appointed; and for such purposes and within a tract of five miles on either side of such railway every such ranger shall have all the powers of a justice of the peace, and one-half of the expenses incident to and connected with such fire ranging shall be a debt due to the Crown from the person constructing such railway and shall be payable upon demand of the Minister of the Interior, and may be recovered at the suit of the Crown in any court of competent jurisdiction.

Powers.

Expenses of fire ranging.

Governor in Council may make regulations.

2. The Governor in Council may make such regulations as he deems necessary or expedient to give full effect to the object and intention of this section.

Release of interest to land within reserves.

11. The Governor in Council may secure from the holder of any title to or interest in any land within the limits of a forest reserve a waiver in writing of the exemption of such land from the provisions of any regulations made under this Act for the prevention of trespass and the protection of game, and, where necessary, may make compensation therefor, and from the date of such waiver, and to the extent therein agreed upon, this Act and the regulations made thereunder shall apply to such lands.

Act does not apply to land to which Crown has no title.

12. Except as hereinafter otherwise provided, this Act shall not apply to lands within the boundaries of any reserve set apart and established under the provisions thereof the title to which is not vested in the Crown in the right of Canada at the date of the passing of this Act, and shall not apply to any lands within such boundaries which at that date are held under lease or are subject to a license to cut timber or to any other right or interest therein or affecting the same, so long as such lease or license remains in force or such right or interest continues to exist: Provided that nothing contained in any lease or license heretofore granted shall be deemed to prevent the operation of this Act or any regulation made thereunder with respect to the protection of game, the prevention of fires and the preservation and reproduction of timber; and provided further that when any land upon which a lease or license to cut timber has been granted does not contain, or has become denuded of, merchantable standing timber, such land may thereupon be withdrawn from such lease or license upon notice to the lessee or licensee, and such land shall thenceforth be subject to all the provisions of this Act and of any regulations made thereunder.

Penalties.

13. Any person violating any provision of this Act or any regulation made thereunder shall, in addition to any civil liability thereby incurred, be liable, on summary conviction, to a penalty of not more than one hundred dollars, and in

default of immediate payment of such penalty and of the costs of prosecution such person may be imprisoned, with or without hard labour, for any term not exceeding six months.

SCHEDULE.

The Dominion Forest Reserves set apart and established under the provisions of section 2 of the Dominion Forest Reserves Act, and the boundaries of each of such reserves.

PROVINCE OF BRITISH COLUMBIA.

1. The Long Lake Dominion Forest Reserve, in the railway belt, in the province of British Columbia, consisting of the west half of township 17, range 18; township 17, range 19, except sections 5, 6, 7, 8, 17, 18, 19 and 20 of the said township; the west half of township 18, range 18; township 18, ranges 19 and 20; the south half of township 19, range 19; township 19, range 20; and containing 190 square miles, more or less.

2. The Monte Hills Dominion Forest Reserve, in the said railway belt, consisting of the north-west quarter of township 16, range 14; the north half of township 16, range 15; sections 24, 25, 26, 27, 34, 35, and 36 in township 16, range 16; the west half of township 17, range 14; township 17, range 15, and the east half of township 17, range 16; and containing 106 square miles, more or less.

3. The Martin Mountain Dominion Forest Reserve, in the said railway belt, consisting of sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20 and 21 of township 19, range 13; and sections 1, 2, 3, 10, 11 and 12 of township 19, range 14; and containing 18 square miles, more or less.

4. The Niskonlith Dominion Forest Reserve, in the said railway belt, consisting of township 21, ranges 14 and 15; the east half of township 21, range 16, except that part included in Kamloops Indian Reserve; township 22, range 14; and containing 124½ square miles, more or less.

5. The Tanquille Dominion Forest Reserve, in the said railway belt, consisting of township 22, ranges 18 and 19; that part of township 23, range 18, included in the said railway belt; township 23, range 19; that part of township 24, range 19, included in the said railway belt; and containing 149 square miles, more or less.

6. The Hat Creek Dominion Forest Reserve, in the said railway belt, consisting of township 18, range 26; township 18, range 27, except the south-west quarter of the said township; that part of the north half of township 18, range 28, within the said railway belt, not included in the Indian Reserve; the west half of township 19, range 25; the east half of township 19, range 26; township 19, range 27; the easterly first tier of sections in township 19, range 28; that part of the south-west quarter of township 20, range 25, not included in the Cornwall Ranch; the south-east quarter of township 20, range 26; the west half of township 20, range 27; the easterly first tier of sections in township 20, range 28; section 4 of township 22, range 27; that part of the west half of township 21, range 27, within the said

railway belt and not included in the Indian Reserve; and containing 206 square miles, more or less.

7. The Donald Dominion Forest Reserve, in the said railway belt, consisting of that part of township 28, range 22, which lies north and east of the Canadian Pacific Railway; the west half of township 29, range 23, which lies north of the Canadian Pacific Railway; that part of township 29, range 24, which lies north of the Canadian Pacific Railway; and containing 72 square miles, more or less.

8. The Larch Hills Dominion Forest Reserve, in the said railway belt, consisting of that part of township 21, range 8, which lies south of Salmon Arm and west of Mara Lake; that part of township 21, range 9, south of Salmon Arm, except sections 5 and 6; and containing 25 square miles, more or less.

PROVINCE OF MANITOBA.

9. The Riding Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of township 18, range 16; of township 19, ranges 16, 17, 19 and 20; of township 20, ranges 17, 18, 19 and 20; of township 21, ranges 17, 18, 19, 20, 21, 22 and 23; of township 22, ranges 18, 19, 20, 21, 22, 23, 24, 25 and 26; of township 23, ranges 24 and 25; of township 24, ranges 26 and 27; of township 25, ranges 26 and 27; the following sections in township 18, range 17, namely, sections 1, 13, 24, 25, 26, 35, and 36, and the east half of section 12; in township 18, range 19, sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; the north-east quarter of township 18, range 20; in township 20, range 21, sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36; the north half of township 20, range 22; all of township 23, range 26, except section 6; in township 25, range 25, sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, and those parts of sections 31, 32 and 33 which may not be included in the Gambler Indian Reserve, probably one and a half square miles; the west half of township 24, range 25; in township 23, range 23, the following sections, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30; in township 23, range 22, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24; in township 23, range 21, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, and the south half of 22; all of that portion of township 23, range 20, lying south and east of the Vermilion river, excepting sections 36 and that part of section 35 lying east of the said river; in township 23, range 19, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30; in township 23, range 18, sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 29 and 30; in township 22, range 17, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, and the west half of sections 1, 12 and 13; in township 21, range 16, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and the south half and north-west quarter of section 14; all of township 20, range 16, except the north-east quarter of section 36; all of township 19, range

18, except the south-west quarter and the west half of the south-east quarter of section 3, and the east half of the south-east quarter of section 4: all of the above being west of the first principal meridian, and containing in all 1,535 square miles, more or less.

10. The Turtle Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of all of township 1 in ranges 20 and 21, and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 28, 29, 30 and 31, and the west half of section 27, township 1, range 19, and sections 1, 2, 11, 12, 13, 14, 24, 25, 26, and the east half of section 23 and the south-east quarter of section 26 in township 1, range 22: all west of the first principal meridian and containing 109¼ square miles, more or less.

11. The Lake Manitoba West Dominion Forest Reserve, in the province of Manitoba, consisting of township 21, ranges 11, 12 and 13; township 22, ranges 12 and 13; township 23, range 13; and that part of township 23, range 12, not included in the Ebb and Flow Indian Reserve No. 52: all lying west of the first principal meridian and containing 248 square miles, more or less.

12. The Spruce Woods Dominion Forest Reserve, in the province of Manitoba, consisting of all of township 9, range 15; sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, in township 9, range 16; sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20 and 21, in township 10, range 15; sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29 and 30, in township 10, range 16; sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, in township 8, range 15; all lying west of the first principal meridian, and containing 110 square miles, more or less.

13. The Duck Mountain Dominion Forest Reserve, in the province of Manitoba, consisting of township 27, ranges 24, 25 and 26; township 28, ranges 24, 25 and 26; township 29, range 23, except the easterly tier of sections, and ranges 24, 25, 26, 27; township 30, range 23, except the easterly tier of sections, and ranges 24, 25, 26, 27; township 31, ranges 23, 24, 25, 26, 27; township 32, ranges 24, 25, 26, 27; township 33, ranges 24, 25, 26, 27; township 34, ranges 24, 25, 26; township 35, range 24; sections 19, 20, 29, 30, 31 and 32 of township 26, range 24; north half of township 26, ranges 25 and 26; east half of township 35, range 25; west half of township 33, range 23; west half of township 28, range 23; all west of the 1st principal meridian and containing 1,251 square miles more or less.

14. The Porcupine Dominion Forest Reserve No. 1, in the province of Manitoba, consisting of townships 41 and 42, range 27; townships 40, 41 and 42, range 28; the northerly four tiers of sections in township 39; and townships 40, 41 and 42, range 29; all west of the first principal meridian, and containing 322 square miles, more or less.

PROVINCE OF SASKATCHEWAN.

15. The Beaver Hills Dominion Forest Reserve, in the province of Saskatchewan, consisting of township 26, ranges 9 and 10, west of the second principal meridian, containing 72 square miles, more or less.

16. The Pines Dominion Forest Reserve, in the province of Saskatchewan, consisting of all of township 47, range 2; all of township 46, range 2, except sections 5 and 6; sections 25, 26, 35 and 36, in township 45, range 2; sections 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, and 33, in township 45, range 1; sections 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and 34, in township 46, range 1; sections 5, 6, 7, 8, 9, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32 and 33, in township 47, range 1; sections 1, 2, 3, 4, 10, 11, 12, 13, 14, 15, and those parts of sections 5, 8, 9 and 16, lying east of the north branch of the Saskatchewan river, in township 48, range 2: all lying west of the 3rd principal meridian and containing 145 square miles, more or less.

17. The Moose Mountain Dominion Forest Reserve, inthe province of Saskatchewan, consisting of all of township 10, range 14; all of township 10, range 3, not included in the White Bear Indian Reserve No. 70; sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, and those parts of sections 7, 8, 9, 10, 11 not included in the White Bear Indian Reserve No. 70 in township 10, range 2; sections 1, 2, 3, 4, 5, 6, 9, 10, 11, the south half of section 7 and the south half and north-east quarter of section 8, in township 11, range 3; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and the west half of section 12 in township 11, range 4; sections 1, 2, 11, 12, in township 11, range 5; sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 35 and 36, and those parts of sections 4, 9, 16 and 21 which were not included in the old Indian Reserves Pheasant's Rump No. 68 and the Ocean Man No. 69, in township 10, range 5; sections 24, 25, 26, 34, 35, 36; the north half and south-east quarter of section 23; the north half and south-east quarter of section 27, and that part of the north-east quarter of section 28 and of the east half of section 23, which were not included in the old Ocean Man Indian Reserve No. 69, in township 9, range 5; sections 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36, in township 9, range 4; sections 19, 20, 21, 28, 29, 30, 31 32, 33, and those parts of sections 22, 27 and 34, not included in the White Bear Indian Reserve No. 70 in township 9, range 3: all west of the 2nd principal meridian and containing 163 square miles more or less.

18. The Porcupine Dominion Forest Reserve No. 2, in the province of Saskatchewan, consisting of townships 39, 40, 41 and 42, range 30; townships 38, 39, 40, 41 and 42, ranges 31 and 32; all west of the first principal meridian, and containing 360 square miles, more or less.

PROVINCE OF ALBERTA.

19. The Cooking Lake Dominion Forest Reserve, in the province of Alberta, consisting of township 52, range 19, west half; township 52, range 20; township 53, range 20; township 54, range 19, sections 18, 19, 30 and 31; township 54, range 20, sections 2, 3, 4, 5, 9, 10, 11, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36; township 51, range 21, section 7; all lying west of the fourth principal meridian, and containing 114 square miles, more or less.

20. The Cypress Hills Dominion Forest Reserve, in the pro-

vince of Alberta, consisting of the south half of township 8, range 3, west of the fourth principal meridian.

21. The Kootenay Lakes Dominion Forest Reserve, in the province of Alberta, consisting of the west half of township 1, and the southwest quarter of township 2, range 29, west of the fourth meridian; the east half of township 1, and the southeast quarter of township 2, range 30, west of the fourth meridian, containing 34,560 acres, more or less.

No. 47.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act respecting Forest Reserves.

[*Second reprint as amended in Committee of the Whole House.*]

MR OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 48.] **BILL.** [1906.

An Act to amend the Act respecting the Safety of Ships and the Prevention of Accidents on board thereof.

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

1. Subsection 1 of section 7 of chapter 77 of the Revised Statutes, intituled "An Act respecting the Safety of Ships and the Prevention of Accidents on board thereof," as enacted by section 1 of chapter 63 of the statutes of 1903, is amended by striking out the words "or in any covered space not included in the cubical contents forming the registered tonnage" in lines 11 and 12 of the said subsection. R.S.C., c. 77, s. 7 amended.

No. 48.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to amend the Act respecting the Safety of Ships and the Prevention of Accidents on board thereof.

First reading, March 26, 1906.

MR. SINCLAIR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 48.] **BILL.** [1906.

An Act to amend the Act respecting the Safety of Ships and the Prevention of Accidents on board thereof.

(Reprinted as amended in Committee of the Whole.)

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

R.S.C., c. 77, s. 7 amended.

1. Chapter 63 of the statutes of 1903 is repealed and the following is enacted as subsection 1 of section 7 of chapter 77 of the Revised Statutes:—

Certain lading not to be placed on deck in winter.

"**7.** No master of any sailing ship, when sailing on or after the first day of October, or before the sixteenth day of March in any year, and no master of any steamship when sailing after the sixteenth day of October, or before the sixteenth day of March in any year, on a voyage from any port or place in Canada to any port or place in the United Kingdom, or in the continent of Europe north of Cape Finisterre in Spain, not being a port or place within the Mediterranean Sea, and during the voyage while within Canadian jurisdiction, shall place, or cause or permit to be placed or to remain upon, any uncovered space upon the upper deck or in any covered space not included in the cubical contents forming the registered tonnage of such ship,—

Timber, etc.

"(*a*) any square, round, waney or other timber, or any pitch pine, oak or elm planks, or any other heavy wood goods whatever, or any light wood goods the units of which are of a greater cubic capacity than fifteen cubic feet;

Spars.

"(*b*) any more than five spare spars, or store spars made, dressed and finally prepared for use, or not so dressed and prepared;

Light wood goods.

"(*c*) any deals, battens, or other light wood goods, the units of which are of a cubic capacity not greater than fifteen cubic feet, to a height above the deck, in the case of an uncovered space, exceeding that of the main rail, bulwark, or plating, or one-fourth of the inside breadth of the ship, or seven feet above the deck, which ever height is the least, and in the case of a covered space, to a height above the deck exceeding the full height of that space:

Proviso: in case of leak or damage to ship

Provided always, that if the master of any such ship considers that it is necessary, in consequence of the springing of a leak, or of other damage received or apprehended during the voyage, he may place and keep on any uncovered space upon the upper deck of the ship, any goods forming part of the cargo of the ship, and permit them to remain there for such time as he considers expedient."

Commencement of Act.

2. This Act shall come into force on a day to be fixed by proclamation of the Governor in Council.

No. 48.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the Safety of Ships and the Prevention of Accidents on board thereof.

(Reprinted as amended in Committee of the Whole.)

MR. SINCLAIR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 49.] **BILL.** [1906.

An Act respecting *La Banque Provinciale du Canada.*

Preamble. 1900, c. 102.

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

Power to re-divide shares.

1. *La Banque Provinciale du Canada*, hereinafter called "the Bank," may, by by-law, enact that the capital stock of the Bank, which is now divided into shares of twelve dollars and fifty cents each, shall be re-divided into shares of one hundred dollars each, and each shareholder shall be entitled to have allotted to him one share of one hundred dollars each for every eight shares of twelve dollars and fifty cents each which he now holds or to which he is entitled in the capital stock of the Bank.

Option on exchange of shares.

2. Any person holding, after such allotment, less than eight shares of twelve dollars and fifty cents each, shall, within thirty days from the date of the mailing to his address of a notice to such effect, have the option of purchasing a share of one hundred dollars at par, by paying to the Bank the difference between one hundred dollars and the par value of his said holdings; and in case such person does not exercise the said option within the said thirty days the Bank shall pay him in cash the par value of such shares by depositing the amount to his credit in the Bank, and this payment shall operate as an extinguishment of the right of such holder to such shares.

Shares not taken up.

2. The shares of one hundred dollars each which remain after the said allotment may be offered by the Bank for subscription by the public.

Issue of new certificates.

3. In order to carry into effect the provisions of this Act, the directors of the Bank may call in the present certificates of stock and issue new certificates to the shareholders in the place thereof.

Publication of by-law.

4. The by-law mentioned in section 1 hereof shall have no force or effect until it has been published in *The Canada Gazette*.

English name of Bank.

5. The Bank may use in all its transactions the name of "The Provincial Bank of Canada" as well as that of "La Banque Provinciale du Canada," and may contract and otherwise bind and obligate itself under either of the said names.

No. 49.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting *La Banque Provinciale du Canada.*

First reading, March 27, 1906.

(PRIVATE BILL.)

MR. BERGERON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 50.] **BILL.** [1906.

An Act respecting the Pacific Bank of Canada.

WHEREAS the directors of the Pacific Bank of Canada, and others hereinafter named, have by their petition set forth that they have deposited with the Minister of Finance and the Receiver General, the sum of two hundred and fifty thousand dollars, as required by section 13 of the Bank Act, and have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 174; 1904, c. 113; 1905, c. 145.

1. Notwithstanding anything contained in the Bank Act, or in chapter 174 of the statutes of 1903, incorporating the Pacific Bank of Canada (hereinafter called "the Bank"), or in chapter 113 of the statutes of 1904, or in chapter 145 of the statutes of 1905, respecting the Bank, the Treasury Board may, within one year after the passing of this Act, give to the Bank the certificate required by section 14 of the Bank Act. Treasury Board certificate.

2. Section 1 of chapter 174 of the statutes of 1903 is amended by striking out the words "the Pacific Bank of Canada" and substituting therefor the words "United Empire Bank of Canada." 1903, c. 174, s. 1. Name changed.

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

"**2.** The capital stock of the Bank shall be five million dollars." Capital stock.

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

"**3.** The chief office of the Bank shall be at the city of Toronto, in the province of Ontario." Head office.

5. Section 4 of the said Act is repealed, and in lieu thereof it is enacted that Samuel Barker, of the city of Hamilton, George A. Clare, of the village of Preston, Ernest E. A. DuVernet, T. C. Street Macklem, M. McLaughlin, William J. Smith, Mark Bredin, all of the city of Toronto, B. Rosamond, of the town of Almonte, in the province of Ontario, and S. Stanley Marling, of Gloucestershire, England, shall be the provisional directors of the Bank. Section 4 repealed. New provisional directors.

6. In the event of the Bank not obtaining the said certificate from the Treasury Board within the time aforesaid, the rights, Failure to obtain certificate.

powers and privileges conferred on the Bank by the said Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect, notwithstanding section 16 of the Bank Act.

Ratification of acts of provisional directors.

7. The acts lawfully done and agreements lawfully entered into by the provisional directors named in the said Act of incorporation, as shown in the recorded minutes of their meetings, shall be and remain valid and effectual to all intents and purposes.

No. 50.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Pacific Bank of Canada.

First reading, March 27, 1906.

(PRIVATE BILL.)

MR. BELCOURT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 51.] **BILL.** [1906.

An Act respecting a patent of Henry Luther Houk.

Preamble.

WHEREAS Henry Luther Houk, of the city of Akron, in the state of Ohio, one of the United States, has by his petition represented that he is the holder and owner of a patent issued under the seal of the Patent Office, and dated the thirty-first day of July, one thousand eight hundred and ninety-nine, being patent number sixty-three thousand five hundred and eighteen; and whereas the said Henry Luther Houk 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: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commissioner of Patents may extend duration of patent.

1. Notwithstanding anything in The Patent Act, or in the letters patent mentioned in the preamble, the Commissioner of Patents may receive from Henry Luther Houk an application for a certificate of payment and the usual fee upon the said patent for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said Henry Luther Houk a certificate of payment as provided by The Patent Act and an extension of the duration of the said patent to the full term of eighteen years in as full and ample a manner as if application therefor had been duly made within six years from the date of the said patent.

Rights of third persons saved.

2. Any person, other than licensees, who has, within the period between the thirty-first day of July, one thousand nine hundred and five, and the passing of this Act, commenced to manufacture, use and sell in Canada the inventions covered by the said patent may continue to manufacture, use and sell the said inventions in as full and ample a manner as if this Act had not been passed.

No. 51.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting a patent of Henry Luther Houk.

First reading, March 27,1906.

(PRIVATE BILL.)

MR. CAMPBELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 52.] **BILL.** [1906.

An Act to incorporate the United Empire Bank of Canada.

WHEREAS the persons hereinafter named have by their petition prayed that an Act be passed for the purpose of establishing a bank in the city of Toronto, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The persons hereinafter named, together with such others as become shareholders in the corporation by this Act created, are hereby constituted a corporation by the name of "United Empire Bank of Canada" hereinafter called "the Bank." Incorporation. Corporate name.

2. The capital stock of the Bank shall be five million dollars. Capital stock.

3. The chief office of the Bank shall be at the city of Toronto, in the province of Ontario. Chief office.

4. Samuel Barker, of the city of Hamilton, George A. Clare, of the village of Preston, Ernest E. A. DuVernet, T. C. Street Macklem, M. McLaughlin, William J. Smith, Mark Bredin, all of the city of Toronto, B. Rosamond, of the town of Almonte, in the province of Ontario, and S. Stanley Marling, of Gloucestershire, England, shall be the provisional directors of the Bank. Provisional directors.

5. The Bank may purchase all the property, real and personal, and all the assets and goodwill of the Pacific Bank of Canada; and, in the event of such purchase, all subscriptions for stock in the said Pacific Bank of Canada shall be deemed valid subscriptions to the stock of the United Empire Bank of Canada. Power to purchase property of Pacific Bank.

6. This Act shall, subject to the provisions of section 16 of the Bank Act, remain in force until the first day of July, one thousand nine hundred and eleven. Duration of Act.

No. 52.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the United Empire Bank of Canada.

First reading, March 27, 1906.

(PRIVATE BILL.)

MR. BELCOURT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 53.] **BILL.** [1906.

An Act respecting the Crawford Bay and St. Mary's Railway Company.

WHEREAS the Crawford Bay and St. Mary's Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1904, c. 70.

1. The Crawford Bay and St. Mary's Railway Company, hereinafter called "the Company," may construct and operate a railway from the present eastern terminus of its railway already authorized at or near Fort Steele, in the province of British Columbia, easterly by the most convenient and feasible route to Lethbridge, in the province of Alberta. Line of railway authorized.

2. All powers of the Company in relation to its railway already authorized shall apply to the railway authorized by section 1 of this Act. Existing powers to apply.

3. Notwithstanding anything in The Railway Act, 1903, the Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may finish the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not finished and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction extended. 1903, c. 58, s. 117.

No. 53.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Crawford Bay and St. Mary's Railway Company.

First reading, March 27, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 54.] **BILL.** [1906.

An Act to incorporate the Pacific Marine Underwriters, Limited.

Preamble.

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

Incorporation.

1. Alfred C. Flumerfelt and Ernest D. Leverson, of the city of Victoria, in the province of British Columbia, Hubert C. H. Cannon, Leslie H. Wright, Arthur C. le P. Ray, William L. Germaine, Frederick Buscombe, and William H. Armstrong, of the city of Vancouver, in the said province, together with such persons as become shareholders in the company, are incorporated under the name of "The Pacific Marine Underwriters, Limited," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, a majority of whom shall be a quorum; 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 said moneys for the purposes of the Company only, and may do generally whatever is necessary to organize the Company.

Capital stock.

3. The capital stock of the Company shall be two hundred and fifty thousand dollars, divided into shares of one hundred dollars each.

Increase of capital.

2. The directors may, after the whole capital stock has been subscribed and fifty per cent has been 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 until a resolution of the board of directors authorizing the 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 Vancouver, in the province of British Columbia, or elsewhere as the directors decide; and 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. So soon as fifty thousand dollars of the capital stock have 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 general meeting of the shareholders at the city of Vancouver, giving at least ten days' notice of the time and place of the meeting by registered letter sent postpaid to the last known address of each shareholder.

Election of directors.

2. At such meeting the shareholders present or represented by proxy who have paid not less than twenty-five per cent on the amount of shares subscribed for by them, shall elect a board of 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 ten 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 may be issued at a premium, and the shares subscribed for shall be paid as follows:—ten per cent, and the amount of any premium, at the time of subscription; fifteen per cent on allotment; and the remainder by such instalments as the majority of the directors determine, but at periods of not less than one month's intervals and not exceeding five 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 the sum of thirty-five thousand dollars has 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 him.

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 any 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 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 are 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.

Investment powers. R.S.C., c. 124.

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 requires.

Foreign securities.

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.

Real property.

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 thereof; but such real estate shall not exceed, at any time, the annual value of five thousand dollars.

Form of policies.

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 is 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 directors.

Inland marine insurance.

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.

R.S.C., c. 118.

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

Act to expire by non-user of charter.

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.

No. 54.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Pacific Marine Underwriters, Limited.

First reading, March 27, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 55.] **BILL.** [1906.

An Act respecting the powers of the Harbour Commissioners of Montreal.

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

1. Chapter 23 of the statutes of 1905 is repealed, and in lieu thereof it is enacted that the Harbour Commissioners of Montreal may, out of the revenues of the harbour, appropriate a sum not exceeding six thousand dollars towards the erection, under the direction of the Minister of Marine and Fisheries, of a monument, within the limits of the city of Montreal, to the late Honourable John Young. Monument to Hon. John Young.

No. 55.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the powers of the Harbour Commissioners of Montreal.

First reading, March 27, 1906.

Mr. Brodeur.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 57.] **BILL.** [1906.

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

Preamble. 1894, c. 103; 1896 (2nd Sess.) c. 11; 1900, c. 106; 1902, c. 79; 1904, c. 98.

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

1894, c. 103, s. 5 amended. Capital stock.

1. Section 5 of chapter 103 of the statutes of 1894 is amended by striking out the word "ten" in the first line thereof, and substituting therefor the word "fifty."

1900, c. 106, s. 2 repealed. Bond issue.

2. Section 2 of chapter 106 of the statutes of 1900 is repealed, and in lieu thereof it is enacted that the Montreal, Ottawa and Georgian Bay Canal Company may issue and pledge or dispose of bonds, debentures or other securities as provided in the Railway Act, 1903, to the extent of one hundred million dollars.

1904, c. 98 repealed.

3. Chapter 98 of the statutes of 1904 is repealed.

Time extended for construction of canal.

4. The said company may commence the construction of its canals, or some of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and eight, and may finish the said canals and put them in operation by the first day of May, one thousand nine hundred and fourteen; and if such construction is not so commenced and such expenditure is not so made, or if the said canals are not finished and put in operation, on or before the said respective dates the powers granted to the said company by Parliament shall cease and be null and void as respects so much of the canals and works of the said company as then remains uncompleted.

No. 57.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

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

First reading, March 28, 1906.

(PRIVATE BILL.)

MR. BELCOURT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 59.] **BILL.** [1906.

An Act to incorporate the Women's Art Association of Canada.

WHEREAS the Women's Art Association of Canada, together with Lady Pellatt, Mrs. Wm. Mackenzie, Mrs. H. E. Bond, Mrs. M. E. Dignam, Mrs. John A. Paterson, Mrs. E. B. Osler, Mrs. A. E. Kemp, Mrs. S. Nordheimer and Mrs. J. S. Willison, of the city of Toronto, Miss Ermatinger, of the city of St. Thomas, Mrs. McKenzie Gow, of the city of Hamilton, Miss Agnes M. Machar, of the city of Kingston, Miss Bertram, of the town of Peterboro, Lady Laurier, Lady Cartwright, Mrs. Hanbury-Williams, Mrs. R. L. Borden, Mrs. J. J. Gormully, Mrs. Lyons Biggar, Mrs. W. I. Anderson and Mrs. H. K. Egan, of the city of Ottawa, all in the province of Ontario, Lady Drummond, of the city of Montreal, in the province of Quebec, Lady McMillan and Miss McArthur, of the city of Winnipeg, in the province of Manitoba, Mrs. Charles Archibald, of the city of Halifax, in the province of Nova Scotia, Lady Tilley, Mrs. John Thompson and Mrs. Silas Alward, of the city of St. John, Mrs. Allan Fitzrandolph, of the city of Fredericton, Mrs. G. H. Pick, of the town of Moncton, all in the province of New Brunswick, and Miss Eleanor Pippy, of the city of Charlottetown, Prince Edward Island, have by their petition represented that they have been acting under a charter of the province of Ontario issued on or about the fifth day of April, eighteen hundred and ninety two, pursuant to the provisions of chapter 172 of the Revised Statutes of Ontario, 1887, intituled "An Act Respecting Benevolent, Provident and other Societies," for the purpose of creating a general interest in art and encouragement in women's work by mutual help and co-operation of its members, and the holding of exhibitions and art lectures, under the name of "The Women's Art Association of Canada," hereinafter called "the provincial association." And whereas questions have arisen respecting the power of the provincial association to carry on its work under the said charter beyond the province of Ontario, and the petitioners desire to be incorporated by the Parliament of Canada for the purposes hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. R.S.O., c. 172.

1. The petitioners and all present members of the provincial association and its branches, and all other women who by virtue of this Act replace or are united with them, are incorporated under the name of "The Women's Art Association of Canada," hereinafter called "the Association." Incorporation. Corporate name.

Objects.

2. The objects of the Association shall be the creating of a general interest in art and the encouragement of women's work for the purpose of mutual help and co-operation of its members, the establishment of art lectures and reading clubs, and the holding of exhibitions of painting, designs, sculpture, engraving and the industrial arts, and the encouragement and development of the art handicrafts and home industries of Canada.

Business of Association.

3. The Association may—

(*a*) hold exhibitions in the cities and towns of Canada;

(*b*) establish and maintain studios for teaching any special branches of art and design, handicraft and home industry;

(*c*) establish and encourage branch associations for the said objects throughout Canada;

(*d*) promote lectures and the study of art literature;

(*e*) help working women to help themselves by the sale of their home industries, for their own benefit, and create a public interest in the preservation and development of such industries.

Active members.

Honorary members.

4. The Association shall consist of active and honorary members. The active members shall be women who, as artists and earnest students, are acceptable to, and are willing to subscribe to the objects of and are accepted as members of the Association, and who pledge themselves to co-operate with one another in its undertakings. Honorary members shall be women who are interested in the promotion of the objects of the Association and are elected according to its by-laws.

Representatives of honorary members.

5. The honorary members may elect from themselves representatives to act for them on the council, in the proportion of one for every twenty-five honorary members.

Government of Association.

6. The Association shall be governed by a council composed of the president, two or more vice-presidents, the presidents of branch associations who shall be ex-officio vice-presidents, the corresponding secretary, the recording secretary, the treasurer, the heads of all standing committees, and the representatives of honorary members, elected as hereinbefore set forth.

Meetings of council.

7. The president may assemble the council as often as she thinks it necessary.

Annual meeting.

8. There shall be held annually a general meeting of the Association at the head office of the Association, in the city of Toronto, in the province of Ontario, upon such day as the council determines. At this meeting a full statement of the affairs of the Association shall be presented by the officers, and the election of officers for the ensuing year shall take place. The honorary members shall be notified to attend the meeting and elect representatives as aforesaid. The council shall determine the manner of calling the annual meeting.

Branch associations.

9. The officers of the branch associations shall be active members of the Association, and the branch associations shall

be conducted upon the same general lines as the Association, and their financial year shall correspond with that of the Association. Copies of the annual reports of the branches shall be sent to the president of the Association at least two weeks before the annual meeting of the Association, and all such reports shall be incorporated in the general report. The annual meetings of the branch associations shall be held at least one month before the annual meeting of the Association. Annual meetings of branch associations.

10. The constitution, rules and by-laws of the provincial association at the time of the passing of this Act shall be the constitution, rules and by-laws of the Association, so far as consistent with this Act and with the laws of Canada and the provinces thereof, until altered or repealed in the manner prescribed by this Act. Constitution and by-laws.

11. No such rule or by-law shall be altered or repealed and no new rule or by-law shall be made except at a meeting of the council called for that purpose, and notice thereof, together with a copy of such new rule or by-law or the intended alteration or repeal shall be mailed to each member of the council at least ten days before the meeting takes place. Repeal of by-laws.

12. Such new rule or by-law, or any amendment or repeal of any rule or by-law, shall have force only until the next general meeting of the Association, unless it is confirmed at such meeting. When new by-laws in force.

13. The Association may acquire and hold by purchase or lease such real and personal property as it requires for its actual use and occupation, or to carry out its objects, and may sell, lease or otherwise dispose thereof. Real and personal property may be held.

14. The Association may acquire all the assets, interests, rights, credits, effects and property of the provincial association and of its branches, and all such assets, interests, rights, credits, effects and property shall be and are hereby vested in the Association. Property, interests, etc., of provincial association may be acquired.

15. The Association hereby assumes the liabilities of the provincial association and its branches, and accepts as members, subject to the provisions of its constitution and by-laws, all persons who are members in good standing of the provincial association, but no officer or member of the Association shall be personally liable, as such, for any debt, obligation or contract of the Association. Liabilities of provincial association assumed.

No. 59.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Women's Art Association of Canada.

First reading, March 28, 1906.

(PRIVATE BILL.)

MR. GRANT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 60.] **BILL.** [1906.

An Act to incorporate the Inter-Ocean Fire Insurance Company.

Preamble.

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

Incorporation.

1. William Robinson, George F. Galt, Arbuckle Jardine, George V. Hastings, George R. Crowe, N. G. Leslie and J. A. M. Aikins, all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company, are incorporated under the name of "The Inter-Ocean Fire Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Powers.

Capital stock.

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

Payment of shares.

2. 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.

Increase of capital.

3. The directors may, after the whole capital stock has been subscribed and fifty per cent has been paid thereon in cash, increase the amount of the capital stock, from time to time, to an amount not exceeding one million dollars, but the stock shall not be increased until a resolution of the directors authorizing such increase has been first 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 the purpose of considering such by-law.

Head office. Branches.

4. The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba, but branch offices, sub-boards or agencies may be established and maintained elsewhere, in such manner as the directors from time to time direct.

Election of directors.

5. So soon as two hundred thousand dollars of the capital stock of the Company have been subscribed, and twenty-five per cent of that amount paid in to some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Winnipeg, 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 nine directors, of whom a majority shall be a quorum.

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.

Annual meeting.

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

Special general meetings.

2. Special general meetings may at any time be called by any five of the directors or by requisition of any twenty-five shareholders, specifying in the notice the object of such meeting.

Notice of meetings.

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

Business of Company.

7. The Company may make and effect contracts of insurance against loss or damage by fire or lightning in or to any house, dwelling, store or other building whatsoever, and to any goods chattels, bridges, railway plant or personal estate whatsoever, for such time and for such premiums or considerations and under such modifications and restrictions and upon such conditions as are agreed upon between the Company and the insured; and the Company may generally carry on the business of fire insurance in all its branches including the right to cause itself to be re-insured against any risk it may have undertaken, and to re-insure any other person against risks that such person may have undertaken.

Re-insurance.

Investment of funds.

8. The Company may invest its funds in the debentures, bonds or other securities of Canada or of any province thereof, in the securities of any municipal corporation in Canada, or on the security of the debentures of any incorporated building society, loan or investment company in Canada, or on the security of real estate or mortgage security thereon, or on the security of leasehold for a term of years or other estate or interest in real property or mortgage security thereon in any province of Canada, and may change and re-invest the same as occasion from time to time requires; and take, receive and

hold all or any such securities in the name of the Company or in the name of trustees for the Company, appointed by the directors, whether for funds invested by being advanced or paid in the purchase of securities as aforesaid, such loans to be on such terms and conditions and in such manner and at such times and for such sums and in such sums of re-payment, whether of principal or interest or principal and interest together, and at such interest and return as the directors from time to time determine and direct, and whether they are taken absolutely or conditionally, or whether such securities are taken in satisfaction of debts due to the Company, or judgments recovered against any person in its behalf, or in the security for the payment of the same or any part thereof; provided, further, that the Company may take any additional securities of any nature to further secure the repayment of any liability to the Company, or to further secure the sufficiency of any of the securities upon which the Company is hereby authorized to invest or lend any of its funds.

Additional securities.

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 branches.

10. The Company may hold such real estate as is mortgaged to it by way of security or conveyed to it in satisfaction of debts or judgments recovered.

Real property may be held.

11. Before obtaining the license required by the Insurance Act, at least sixty-five thousand dollars of the capital stock shall be paid into the funds of the Company, to be appropriated only for the purposes of the Company under this Act, and thereafter in each succeeding year, for three years, a further sum of fifteen thousand dollars shall be paid annually in cash upon the capital stock of the Company.

When license may be obtained.

Payment of capital.

12. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of the Insurance Act.

R.S.C., c. 124.

13. The Companies Clauses Act, except sections 18 and 39 thereof, shall apply to the Company, in so far as it is not inconsistent with any of the provisions of the Insurance Act.

R.S.C., c. 118, to apply.

No. 60.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Inter-Ocean Fire Insurance Company.

First reading, March 28, 1906.

(PRIVATE BILL.)

MR. BOLE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 61.] **BILL.** [1906.

An Act to incorporate the Grand Trunk Pacific Telegraph Company.

Preamble.

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

Incorporation.

Corporate name.

1. Charles M. Hays, Frank W. Morse, William Wainwright, W. H. Biggar and D'Arcy Tate, all of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of 'The Grand Trunk Pacific Telegraph Company,'' hereinafter called ''the Company.''

Provisional directors.

Powers.

2. The persons named in section 1 of this Act are constituted the provisional directors of the Company, a majority of whom shall be a quorum, and they shall hold office until the appointment of a board of directors at the first general meeting of shareholders of the Company, and shall, until such board is appointed, have all the powers of the board; and should any such provisional director die or resign before the first election of directors, the vacancy may be filled by the remaining provisional directors.

Head office.

3. The head office of the Company shall be in the city of Montreal, but meetings of the directors and of the shareholders may be held in such other places in Canada and elsewhere as the directors from time to time determine.

Annual meeting.

4. The annual meeting of the Company shall be held on the third Thursday in September.

Election of directors.

5. At each annual meeting the shareholders assembled who have paid all calls due on their shares shall choose not less than five nor more than nine persons, as is from time to time provided by by-law of the Company, to be directors of the Company, one or more of whom may be paid officers of the Company.

Proxies.

6. No person other than a shareholder entitled to vote may vote or act as a proxy at any meeting of the Company.

Capital stock.

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

First meeting of Company.

8. So soon as one hundred thousand dollars of the capital stock have been subscribed and allotted and twenty-five per cent thereof paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders for the election of a board of directors and for the transaction of such other business as may be transacted at the annual general meeting of the Company.

Executive committee of directors.

9. The directors may annually appoint from among themselves an executive committee composed of at least three directors, for such purposes and with such duties as the directors by by-law determine; and the president shall be *ex-officio* a member of such committee.

Business of Company.

10. The Company may establish, construct or acquire by purchase, lease or otherwise, and may maintain and operate any overhead, underground or cable line or lines of telegraph or telephone, or any system of wireless telegraphy, or of signalling or of other electric or magnetic description, from and to any places in Canada or elsewhere, and establish offices for the transmission and reception of messages or communications, and may maintain and repair telegraph, telephone and cable lines for others.

May erect line along highway.

2. The Company may erect, maintain and keep up its said line or lines along or across any public highway, street, bridge or other place, and through or under any waters, either wholly in Canada or dividing Canada from any other country, provided they do not interfere with the public right of travelling on any highway or interrupt the navigation of any navigable waters.

Arrangements with telegraph companies.

11. The Company may enter into arrangements or agreements with any government in Canada or any person or company owning or controlling any line of telegraphic or telephonic communication, or cable or wireless telegraphy, or any system of signalling, or any power or right to use means of communication of that nature, for the exchange and transmission of messages or the interchange of business, or for the working or lease, in whole or in part, of the lines of the Company, or for the use of such line, system, cable, telegraphic, telephonic or other means of communication, facilities or works, upon such terms as the directors from time to time deem expedient or advisable.

Acquisition of other franchises.

12. The Company may lease, purchase or otherwise acquire and operate the franchise and property of any other person or company carrying on a business similar to that of the Company or one that may be used as auxiliary to the objects of the Company or incidental or advantageous thereto.

Acquisition of shares in capital stock of other companies.

13. The Company may acquire, by purchase or otherwise, and dispose of, or guarantee the stock, bonds, debentures or other securities of any company authorized to carry on a telegraph or telephone business, or operate any system of wireless or cable telegraphy.

14. The Company may manufacture, purchase or otherwise acquire, lease, deal in, sell and dispose of electric and magnetic instruments, and machinery, apparatus, plant, equipment and appliances used or for use in connection with a telegraph or telephone business of whatever description. Manufacture of telegraph and telephone plant.

15. The Company may acquire and use or dispose of any privileges granted by any provincial or municipal authority and any rights in letters patent or inventions in any way connected with or appertaining to its business. Acquire patent rights.

16. The Company may transmit messages and communications for the public and collect rates and charges therefor; but no rates or charges shall be demanded or taken for the transmission of any message or communication unless they have been approved of by the Governor in Council, and such rates and charges shall be subject to revision from time to time by the Governor in Council. Company may charge tolls.

17. The Company may enter upon the lands of His Majesty, or of any person or corporation, and survey the said lands or any part thereof, and set out and ascertain such parts thereof as it thinks necessary and proper for the construction, maintenance and operation of the said lines of telegraph and telephone or of any of the works hereby authorized, and may take possession and use the said lands for such purpose; and, when the said lines pass through any wood, may cut down the trees and underwood for the space of fifty feet on each side of the said lines, doing as little damage as may be in the execution of the several powers hereby granted; and the Company shall make compensation and satisfaction, whenever required so to do, to the owners or proprietors of, or the persons interested in, the lands so taken or entered upon, for all damage by them sustained resulting from the execution of any of the powers granted by this Act. Expropriation of lands. Compensation.

2. If the Company cannot agree with the owner or occupier for any compensation payable under the preceding subsection, the Company and such owner or occupier shall each choose an arbitrator, and the said arbitrators shall choose a third, and the decision on the matter in difference of any two of such arbitrators in writing shall be final; and if the said owner or occupier, or the agent of the Company, neglects or refuses to choose an arbitrator within four days after notice in writing, and upon proof of service of such notice, or if such two arbitrators, when duly chosen, disagree in the choice of a third arbitrator, then and in any such case the Minister of Public Works or a judge of a superior court of any province, may appoint any such arbitrator, or such third arbitrator, as the case may be, and the arbitrator so appointed shall possess the same power as if chosen in the manner above provided. Proceedings where parties cannot agree.

18. If authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting or at any special meeting duly Borrowing powers.

called for considering the by-law, the directors may from time to time—

Borrowing.

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

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

Issue of bonds, etc.

(*c*) issue bonds, debentures or other securities of the Company and pledge or sell them for such sums and at such prices as are deemed expedient; but no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each;

Security.

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

Agreement for right of way.

19. The Company may enter into any agreement with the Grand Trunk Pacific Railway Company or with the trustees named in any mortgage made for securing any of the bonds, debentures or other securities issued by the said company, respecting the terms upon which it may use the right of way of the Grand Trunk Pacific Railway for the purposes of its undertaking and as part of such agreement, and, in consideration for the use of such right of way, may issue as paid-up stock shares of the common stock of the Company, whether subscribed for or not, and may issue, pledge or transfer the same and any bonds, debentures or other security charged upon the property of the Company.

R.S.C., c. 118.

20. Sections 9, 18, 39 and 41 of the Companies Clauses Act shall not apply to the Company.

R.S.C., c. 132 to apply.

21. The Electric Telegraph Companies Act shall apply to the Company.

Declaratory.

22. The works of the Company are declared to be for the general advantage of Canada.

No. 61.

2nd Session, 10th Parliament, 6 Edward VII., 1906

BILL.

An Act to incorporate the Grand T
Pacific Telegraph Company.

First reading, March 28, 1906.

(PRIVATE BILL.)

Mr. McCarthy,
(North Simcoe

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 61.] **BILL.** [1906.

An Act to incorporate the Grand Trunk Pacific Telegraph Company.

[*Reprinted as amended and reported by the Railway Committee.*]

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

1. Charles M. Hays, Frank W. Morse, William Wainwright, W. H. Biggar and D'Arcy Tate, all of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of 'The Grand Trunk Pacific Telegraph Company,'' hereinafter called ''the Company.'' Incorporation. Corporate name.

2. The persons named in section 1 of this Act are constituted the provisional directors of the Company, a majority of whom shall be a quorum, and they may forthwith open stock books and procure subscriptions of stock and receive payments on account of stock subscribed, cause surveys and estimates to be made, and carry on the business of the Company, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, which moneys shall not be withdrawn except for the purposes of the undertaking or upon the dissolution of the Company for any cause whatever. Provisional directors.

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

2. The service of any process or notice upon the chief officer or manager of the Company in Canada at any office where it carries on business in Canada, or upon the person then in charge of such office, shall be good service and shall bind the Company. Service on the Company.

4. The annual meeting of the Company shall be held on the third Thursday in September. Annual meeting.

5. At each annual meeting the shareholders assembled who have paid all calls due on their shares shall choose not less than five nor more than nine persons, as is from time to time provided by by-law of the Company, to be directors of the Company, one or more of whom may be paid officers of the Company. Election of directors.

Proxies.

6. No person other than a shareholder entitled to vote may vote or act as a proxy at any meeting of the Company.

Capital stock.

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

Calls.

2. Such capital stock shall be issued in whole or in part, and may be called up from time to time and in such manner as the directors determine, but no one call shall exceed ten per cent on the shares subscribed, and there shall be an interval of at least thirty days between calls.

First meeting of Company.

8. So soon as one hundred thousand dollars of the capital stock have been subscribed and allotted and twenty-five per cent thereof paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders for the election of a board of directors and for the transaction of such other business as may be transacted at the annual general meeting of the Company.

Notice of meeting.

2. Notice of such meeting shall be sufficiently given by mailing the notice, postage prepaid, to the last known post office address of each shareholder at least ten days previous to the date of such meeting.

Executive committee of directors.

9. The directors may annually appoint from among themselves an executive committee composed of at least three directors, for such purposes and with such duties as the directors by by-law determine; and the president shall be *ex-officio* a member of such committee.

Business of Company.

10. The Company may establish, construct or acquire by purchase, lease or otherwise, and may maintain and operate any overhead, underground or cable line or lines of telegraph or telephone, or any system of wireless telegraphy, or of signalling or of other electric or magnetic communication, from and to any places in Canada or elsewhere, and establish offices for the transmission and reception of messages or communications, and may maintain and repair telegraph, telephone and cable lines for others: provided, however, that no system of wireless telegraphy or of signalling or of other electric or magnetic communication other than by telegraph or telephone shall be established, constructed or acquired and operated without the consent of the Governor in Council first had and obtained.

Proviso.

Consent of municipality.

11. No right, except as provided for in subsection 2 hereof, hereby or by the Electric Telegraph Companies Act conferred, shall be exercised without the consent of and upon the terms to be agreed upon with the council of a city, town, incorporated village or township, or with the municipality of a county within which it is proposed to exercise such right, and every such right, except so far as provided by the said consent and agreement, shall be subject to and controlled by all general by-laws and regulations of the city, town, incorporated village, township or the municipality of a county, whether passed prior to or subsequent to this Act.

Exclusive use of one long distance line.

2. Provided that the Company shall have the right to one exclusively long distance conduit or pole line or service in,

through, or across any city, town, incorporated village or township, subject to the said general by-laws and regulations, and to the location of the line or service in a direct practicable route, and of the conduit or poles for carrying such line or service by the municipal council, or such officer as it appoints, and subject to such line or service being placed under ground in cities if so required by the council thereof by any general by-laws relating to electric companies.

"Long distance line" defined.

3. A long distance line or service shall mean any trunk line or service connecting a central exchange or office in a city, town, incorporated village or township with a central exchange or office or with central exchanges or offices in another or other cities, towns, incorporated villages or townships. All matters in dispute relating to such long distance line or service shall be referred to and determined by the Board of Railway Commissioners for Canada, upon the application of either party, and the said Board shall have the same powers with regard to any matter so referred, as are provided in the case of an application under subsection 2 of section 195 of the Railway Act, 1903.

Disputes.

Arrangements with telegraph companies.

12. The Company may, subject to the provisions of the Railway Act, 1903, enter into arrangements or agreements with any government in Canada or any person or company owning or controlling any line of telegraphic or telephonic communication, or cable or wireless telegraphy, or any system of signalling, or any power or right to use means of communication of that nature, for the exchange and transmission of messages or the interchange of business, or for the working or lease, in whole or in part, of the lines of the Company, or for the use of such line, system, cable, telegraphic, telephonic or other means of communication, facilities or works, upon such terms as the directors from time to time deem expedient or advisable.

Acquisition of shares in capital stock of other companies.

13. The Company may acquire, by purchase or otherwise, and dispose of, or guarantee the stock, bonds, debentures or other securities of any company authorized to carry on a telegraph or telephone business.

Manufacture of telegraph and telephone plant.

14. The Company may manufacture, purchase or otherwise acquire, lease, deal in, sell and dispose of electric and magnetic instruments, and machinery, apparatus, plant, equipment and appliances used or for use in connection with a telegraph or telephone business of whatever description.

Acquire patent rights.

15. The Company may acquire and use or dispose of any privileges granted by any provincial or municipal authority and any rights in letters patent or inventions in any way connected with or appertaining to its telegraph or telephone business.

Company may charge tolls.

16. The Company may, subject to the provisions of the Railway Act, 1903, transmit messages and communications for the public and collect rates and charges therefor; but no rates or charges shall be demanded or taken for the transmission of any message or communication unless they have been approved of by the Board of Railway Commissioners

for Canada, and such rates and charges shall be subject to revision from time to time by the said Board.

Expropriation of lands.

17. The Company may, with the consent of the Governor in Council, enter upon any Crown lands, and, subject to the provisions of sections 11 and 22 of this Act, enter upon any lands, and survey the said lands or any part thereof, and set out and ascertain such parts thereof as it thinks necessary and proper for the construction, maintenance and operation of the said lines of telegraph and telephone or of any of the works hereby authorized, and may take possession and use the said lands for such purpose; and, when the said lines pass through any wood, may cut down the trees and underwood for the space of fifty feet on each side of the said lines, doing as little damage as may be in the execution of the several powers hereby granted; and the Company shall make compensation and satisfaction, whenever required so to do, to the owners or proprietors of, or the persons interested in, the lands so taken or entered upon, for all damage by them sustained resulting from the execution of any of the powers granted by this Act.

Compensation.

1903, c. 58.

2. The provisions of the Railway Act, 1903, with respect to the taking of lands, arbitration and compensation for damages, shall, *mutatis mutandis*, apply to the Company in the exercise of the powers granted by this section.

Borrowing powers.

18. If authorized by by-law sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting or at any special general meeting duly called for considering the by-law, the directors may from time to time—

Borrowing.

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

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

Issue of bonds, etc.

(*c*) issue bonds, debentures or other securities of the Company and pledge or sell them for such sums and at such prices as are deemed expedient; but no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each;

Security.

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

Agreement for right of way.

19. The Company may, subject to the provisions of the Railway Act, 1903, enter into any agreement with the Grand Trunk Pacific Railway Company or with the trustees named in any mortgage made for securing any of the bonds, debentures or other securities issued by the said company, respecting the terms upon which it may use the right of way of the Grand Trunk Pacific Railway for the purposes of its undertaking and as part of such agreement, and, in consideration for the use of such right of way, may issue as paid-up stock shares of the common stock of the Company, whether subscribed for or not, and may issue, pledge or transfer the same and any bonds, debentures or other security charged upon the property of the Company.

20. Sections 18 and 39 of the Companies Clauses Act shall not apply to the Company. R.S.C., c. 118.

21. The Electric Telegraph Companies Act shall apply to the Company. R.S.C., c. 132 to apply.

22. Subject to the provisions of this Act, the works authorized by this Act shall be subject to all the provisions of sections 194 and 195 of the Railway Act, 1903, and the expression "the Company" used in said section 195 shall mean the Company hereby incorporated. 1903, c. 58, ss. 194, 195 to apply.

23. The works of the Company are declared to be for the general advantage of Canada. Declaratory.

No. 61.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Grand Trunk Pacific Telegraph Company.

[*Reprinted as amended and reported by the Railway Committee.*]

(PRIVATE BILL.)

MR. MCCARTHY,
(North Simcoe.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 62.] **BILL.** [1906.

An Act to amend the Railway Act, 1903.

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

1. Subsection 3 of section 44 of the Railway Act, 1903, is repealed and the following is substituted therefor:— 1903, c. 58, s. 44, amended.

"3. An appeal shall lie from the Board to the Supreme Court of Canada upon a question of jurisdiction, but such appeal shall not lie unless it is allowed by a judge of the said court upon application and notice to the parties and the Board and hearing such of them as appear and desire to be heard; the costs of such application shall be in the discretion of the judge. Appeal to Supreme Court on questions of jurisdiction.

"An appeal shall also lie from the Board to the said court upon any question which in the opinion of the Board is a question of law, upon leave therefor having been first obtained from the Board. The granting of such leave shall be in the discretion of the Board." On questions of law.

2. The Board may accept evidence upon affidavit or written affirmation, in cases in which it seems to it proper to do so. Evidence by affidavit.

2. All persons authorized to administer oaths to be used in any of the superior courts of any province may administer oaths in such province to be used in applications, matters or proceedings before the Board. Who may administer oaths in Canada.

3. All persons authorized by the Governor in Council to administer oaths within or out of Canada, in or concerning any proceeding had or to be had in the Supreme Court of Canada or in the Exchequer Court of Canada, may administer oaths in or concerning any application, matter, or proceeding before the Board. Commissioners for Supreme and Exchequer Court.

4. Any oath administered out of Canada, before any commissioner authorized to take affidavits to be used in His Majesty's High Court of Justice in England, or before any notary public, certified under his hand and official seal, or before the mayor or chief magistrate of any city, borough or town corporate in Great Britain or Ireland, or in any colony or possession of His Majesty out of Canada, or in any foreign country, and certified under the common seal of such city, borough, or town corporate, or before a judge of any court of supreme jurisdiction in any colony or possession of His Majesty, or dependency of the Crown out of Canada, or before any consul, vice-consul, acting-consul, pro-consul or consular agent of His Majesty, exercising his functions in any foreign place, certified under his official seal, concerning any application, matter or proceeding Oaths outside Canada.

had or to be had by or before the Board, shall be as valid and of like effect, to all intents, as if it had been administered before a person authorized by the Governor in Council as in the next preceding subsection provided.

Documents with signature of commissioner, etc., to be prima facie evidence.

5. Every document purporting to have affixed, imprinted or subscribed thereon or thereto the signature of any such person or commissioner so authorized as aforesaid, or the signature or official seal of any such notary public, or the signature of any such mayor or chief magistrate and the common seal of the corporation, or the signature and official seal of any such consul, vice-consul, acting-consul, pro-consul, or consular agent, in testimony of any oath having been administered by or before him, shall be admitted in evidence before the Board without proof of any such signature or seal being the signture or seal of the person or corporation whose signature or seal it purports to be, or of the official character of such person.

Informalities shall not invalidate.

6. No informality in the heading or other formal requisites of any oath made before any person under any provision of this Act shall be an objection to its reception in evidence before the Board, if the Board thinks proper to receive it; and if it is actually sworn to, by the person making it, before any person duly authorized thereto, and is received in evidence, no such informality shall be set up to defeat an indictment for perjury.

New s. 91.

3. Section 91 of the said Act is repealed and the following is substituted therefor:—

Declaration of dividends.

"**91.** Dividends, at and after the rate of so much per share upon the several shares held by the shareholders in the stock of the company, may, from time to time, be declared and paid by the directors out of the net profits of the undertaking."

S. 122 amended.

4. Subsection 3 of section 122 of the said Act is repealed and the following is substituted therefor:—

Approval of map and location.

"3. Before approving such map and location the Minister may, subject to the Special Act, make such changes and alterations therein as he may deem expedient, and upon being satisfied therewith shall signify his approval upon the map and the duplicate thereof, and when so approved, the map and application shall be filed in the Department of Railways and Canals and the duplicate thereof with the Board. The Minister in approving any such map and location may approve the whole or any portion thereof, and where he approves only a portion thereof he shall signify his approval upon the map and the duplicate thereof accordingly."

S. 123 amended.

5. Subsection 1 of section 123 of the said Act is repealed and the following is substituted therefor:—

Sanction by Board.

"Such plan, profile and book of reference shall be submitted to the Board who, if satisfied therewith, may sanction the same, and by such sanction shall be deemed to have approved merely the location of the railway and the grades and curves thereof, as shown in such plan, profile and book of reference, but not to have relieved the company from otherwise complying with this Act. In granting any such sanction the Board shall be bound by the general location as approved by the Minister, provided that the Board may, unless the Minister otherwise specifically

To be deemed approval of location only, and as approved by minister.

directs, sanction a deviation of not more than one mile from any one point on the said general location so approved."

6. Subsection 1 of section 139 of the said Act is repealed and the following is substituted therefor:— S. 139 amended.

"Should the company require, at any point on the railway, more ample space than it then possesses or may take under the preceding section, for the convenient accommodation of the public, or the traffic on its railway, or for protection against snowdrifts, or for the diversion of a highway, or for the construction or taking of any works or measures ordered by the Board under any of the provisions of this Act or the Special Act, or to secure, in the opinion of the Board, the proper and efficient construction or operation of the railway, it may apply to the Board for authority to take the same, for such purposes, without the consent of the owner." Where more ample space required.

2. The said section 139 is further amended by adding at the end thereof the following subsection:— Subsection added.

"7. The Board may, upon consent in writing having been first obtained from the Minister in that behalf, repeal, rescind, change or vary any certificate of the Minister made under section 109 of the Railway Act, chapter 29 of the statutes of 1888." Repeal and change of certificates made under 1888, c. 29, s. 109.

7. Section 171 of the said Act is repealed and the following is substituted therefor:— New s. 171.

"**171.** The judge shall not grant any warrant under the next preceding section, unless ten days' previous notice of the time and place when and where the application for such warrant is to be made has been served upon the owner of the land or the person empowered to convey the land or interested in the land sought to be taken, or which may suffer damage from the taking of materials sought to be taken, or the exercise of the powers sought to be exercised, or the doing of the thing sought to be done, by the company; and unless the company gives security to his satisfaction, by payment into court, of a sum in his estimation sufficient to cover the probable compensation and costs of the arbitration, and not less than fifty per cent above the amount mentioned in the notice served under section 154." Procedure upon application for warrant. Deposit of compensation.

8. When any person having authority to create, develop, enlarge or change any water power, or any electrical or power development by means of water, desires for any such purpose to carry any canal, flume pipe, ditch or wire across, over or under any railway, and is unable to agree with the railway company as to the terms and conditions upon which the same may be so carried over, under or across the said railway, an application may be made to the Board for leave to construct the necessary works. When canals, pipes or wires require to be carried across a railway. Application to Board.

2. Upon such application the applicant shall submit to the Board a plan and profile of the railway at the point where it is desired to make such crossing, and a plan or plans showing the proposed method of carrying such canal, flume pipe, ditch or wire across, over or under the said railway, and such other plans, drawings and specifications as the Board in any case or by any regulation requires. Plan and profile.

Terms of order.

3. The Board may, by order, grant such application on such terms and conditions as to protection and safety, payment of compensation or otherwise, as it deems just and proper, may change the plans, profiles, drawings and specifications so submitted, and fix the place and mode of crossing, and may give directions as to the method in which the works are to be constructed and as to supervision of the construction of the works and the maintenance thereof, and order that detailed plans, drawings and specifications of any works, structures, equipment or appliances required shall before construction or installation be submitted to and approved by the Board.

S. 212 amended.

Power to regulate running and operation of trains.

9. Subsection 2 of section 212 of the said Act is repealed and the following is substituted therefor:—

"2. The Board shall endeavour to provide for uniformity in the construction of rolling stock to be used upon the railway and for a uniformity of rules for the operation and running of trains; and may make regulations designating the number of men to be employed upon trains, or providing that coal shall be used on all locomotives instead of wood in any district, and generally with respect to the running and operation of trains by the company, for the protection of property, and the protection, safety, accommodation and comfort of the public and the employees of the company."

New s. 235.

Notice of accident.

10. Section 235 of the said Act is repealed and the following is substituted therefor:—

"**235.** Every company shall, as soon as possible, and immediately after the head officers of the company have received information of the occurrence upon the railway belonging to such company, of any accident attended with personal injury to any person using the railway, or to any employee of the company, or whereby any bridge, culvert, viaduct or tunnel on or of the railway has been broken or so damaged as to be impassable or unfit for immediate use, give notice thereof, with full particulars, to the Board; and every company which wilfully or negligently omits to give such notice shall forfeit to His Majesty the sum of two hundred dollars for every day during which the omission to give such notice continues."

Penalty for omission.

S. 295 amended.

Intoxication of railway employees.

11. Subsection 1 of section 295 of the said Act is repealed and the following is substituted therefor:—

"Every conductor, locomotive engineer, train despatcher, telegraph operator, station agent, switchman or other person who is intoxicated while on duty in charge of or in any employment having to do with the movement of trains upon any railway, is guilty of an indictable offence and liable to ten years' imprisonment."

S. 303 amended.

Minister may change forms.

12. Subsection 4 of section 303 of the said Act is repealed and the following is substituted therefor:—

"4. The Minister may, from time to time, change or vary the forms in the said schedule one contained, or may substitute other forms in lieu thereof, and, upon any such change, variation or substitution being so made, the company shall, in the manner above provided, prepare, make and forward returns accordingly;

the company shall also, at all times, give such information to the Minister as the Minister may, from time to time, require for statistical purposes." Company to give information.

13. Section 193 of the said Act is amended by adding thereto as subsection 2 the following:— S. 193 amended.

"2. Nothwitstanding anything in any Act contained ,the Board, in determining the terms or compensation upon which any such connection or communication is to be provided for, shall, not take into consideration any contract, lease or agreement now or hereafter in force by which the company has given or gives any exclusive or other privilege to any company or person, other than the applicant, with respect to any such station or premises." Contracts giving exclusive privileges not to be taken into consideration in determining compensation.

14. In this section and in the following sections of this Act, unless the context otherwise requires, the expression "company" means a company, within the meaning of the Railway Act, 1903, having authority to construct and operate or to operate a telephone system or line, and to charge telephone tolls, and includes also a telephone company and every company and person having legislative authority from the Parliament of Canada to construct and operate or to operate a telephone system or line, and to charge telephone tolls; and the expression "telephone toll" means and includes any toll, rate, or charge to be charged by the company to the public, or to any person, for the use of a telephone system or line, or any part thereof, or for the transmission of a message by telephone, or for the installation and use of telephone instruments, lines, or apparatus, or for any service incidental to a telephone business. "Company" defined in sections following. "Telephone toll" defined.

15. Notwithstanding anything in any Act heretofore or hereafter passed by Parliament, all telephone tolls to be charged by the company shall be subject to the approval of the Board. Approval of telephone tolls.

2. The company shall file with the Board tariffs of the telephone tolls to be charged, and such tariffs shall be in such form, size and style and give such information, particulars and details as the Board, from time to time, by regulation, or in any particular case, prescribes, and the company shall not and shall not be entitled to charge any telephone toll in respect of which there is default in such filing, or which is disallowed by the Board; provided, that any company, now or immediately previous to the passing of this Act, charging telephone tolls may, without such filing and approval, for a period of three months after the passing of this Act, or for such further period as the Board allows, charge such telephone tolls as such company was immediately previous to the passing of this Act authorized by law to charge. Tariff of tolls to be filed with Board. Proviso.

3. Such telephone tariffs may be dealt with by the Board in the same manner as is provided by the Railway Act, 1903, with respect to standard freight tariffs; and all the provisions of the Railway Act, 1903, (except as to publication under section 274) applicable to the company with respect to standard freight tariffs and tolls chargeable thereunder shall, in so far as they are applicable and not inconsistent with this Act, apply to the Company with respect to such telephone tariffs and telephone tolls chargeable under such telephone tariffs. Tariffs, how to be dealt with.

Board may order telephone company to make connection with municipal telephone system.

16. Whenever any province, municipality, or corporation, having authority to construct and operate or to operate a telephone system or line and to charge telephone tolls, is desirous of using any telephone system or line owned, controlled, or operated by the company, upon which system or line the company is authorized to charge telephone tolls, in order to connect such telephone system or line with the telephone system or line operated or to be operated by such province, municipality, or corporation for the purpose of obtaining direct communication, whenever required, between any telephone or telephone exchange on the one telephone system or line and any telephone or telephone exchange on the other telephone system or line, and cannot agree with such company with respect to obtaining such connection or communication, or such use, such province, municipality or corporation may apply to the Board for relief, and the Board may order such company to provide for such connection or communication, or such use, upon such terms as to compensation as the Board deems just and expedient, and may order and direct how, when, where, by whom and upon what terms and conditions such connection or communication, or such use, shall be had, constructed, installed, operated and maintained.

Terms of order.

Board shall consider standard of efficiency.

2. Upon any such application the Board shall, in addition to any other consideration affecting the case, take into consideration the standards as to efficiency and otherwise of the apparatus and appliances of such telephone systems or lines, and shall only grant the leave applied for in case and in so far as, in view of such standards, the connection or communication or use applied for can, in the opinion of the Board, be made or exercised satisfactorily and without undue or unreasonable injury to or interference with the telephone business of such company.

Provisions of Railway Act with respect to joint tariffs to apply.

17. Where the telephone system or line operated by the company is connected or used in communication with the telephone system or line operated by another such company or by any province, municipality or corporation, whether the authority of such province, municipality or corporation to construct and operate or to operate such telephone system or line is derived from the Parliament of Canada or otherwise, and whether such connection or communication has been previously or is hereafter established either by agreement of the parties or under an order of the Board, the provisions of the Railway Act, 1903, with respect to joint tariffs, in so far as they are applicable and not inconsistent with this Act, shall apply to such company or companies and to such province, municipality or corporation.

Power of Board to enforce order.

2. The Board shall have, for the enforcement of its order in this respect, in addition to all other powers possessed by it therefor, the power to order a discontinuance of such connection or communication between such different telephone systems or lines.

Tariff of tolls to be posted up.

18. The company shall, from time to time, cause to be printed and posted up in its offices and in every place where telephone tolls are to be charged, in some conspicuous position, a printed board or paper exhibiting all telephone tolls so to be charged.

19. All contracts, agreements and arrangements between the company and any other such company, or any province, municipality or corporation having authority to construct and operate or to operate a telephone system or line, whether such authority is derived from the Parliament of Canada or otherwise for the regulation and interchange of telephone messages or service passing to and from their respective telephone systems and lines, or for the division or apportionment of telephone tolls, or generally in relation to the management working, or operation of their respective telephone systems or lines, or any of them, or any part thereof, or of any other systems or line operated in connection with them or either of them, shall be subject to the approval of the Board, and shall be submitted to and approved by the Board before such contract, agreement or arrangement shall have any force or effect.

Agreements between telephone companies and municipalities to be approved by Board.

No. 62.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Railway Act, 1903.

First reading, March 28, 1906.

Mr. Emmerson.

OTTAWA
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Printer to the King's most Excellent Majesty
1906

No. 62.] **BILL.** [1906.

An Act to amend the Railway Act, 1903.

[*Reprinted as amended in Committee of the Whole House.*]

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

1903, c. 58, section added.

1. The Railway Act, 1903, is amended by inserting the following section immediately after section 16:—

Annual report to be made.

"**16A.** The Board shall, within three months after the thirty-first day of March in each year, make to the Governor in Council through the Minister an annual report respecting, (*a*) applications to and proceedings of the Board under this Act and the Railway Act, 1903, during the year next preceding the thirty-first day of March, (*b*) such other matters as appear to the Board to be of public interest in connection with the persons, companies and railways subject to the said Acts, and (*c*) such matters as the Governor in Council directs.

Report to be laid before House of Commons.

"2. The said report shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament."

New section 23.

2. Section 23 of the said Act is repealed and the following is substituted therefor:—

Jurisdiction of Board upon application.

"**23.** The Board shall have full jurisdiction to inquire into, hear and determine any application by or on behalf of any party interested,—

Neglect of duties under any Act, regulation or order.

"(*a*) complaining that any company or person has failed to do any act, matter or thing required to be done by this Act, or the Special Act, or by any regulation, order or direction made thereunder by the Governor in Council, the Minister, the Board, or any inspecting engineer, or that any company or person has done or is doing any act, matter or thing contrary to, or in violation of this Act, or the Special Act, or any such regulation, order, or direction; or,

Violations.

Giving orders, directions or approval.

"(*b*) requesting the Board to make any order, or give any direction, sanction or approval, which by law it is authorized to make or give, or with respect to any matter, act or thing which by this Act or the Special Act is prohibited, sanctioned or required to be done.

Mandatory order.

"2. The Board may order and require any company or person to do forthwith, or within or at any specified time, and in any manner prescribed by the Board, so far as is not inconsistent with this Act, any act, matter or thing which such company or person is or may be required or authorized to do under this

Injunction order.

Act, or the Special Act, and may forbid the doing or continuing of any act, matter or thing which is contrary to this Act or the Special Act.

Questions of law and fact.

"3. For the purposes of this Act the Board shall have full jurisdiction to hear and determine all matters whether of law or of fact, and shall, as respects the attendance and examination of witnesses, the production and inspection of documents, the enforcement of its orders, the entry on and inspection of property and other matters necessary or proper for the due exercise of its jurisdiction under this Act, or otherwise for carrying this Act into effect, have all such powers, rights and privileges as are vested in a superior court.

All powers of a superior court.

Powers regarding witnesses and evidence.

"4. The Board may order that any witness resident or present in Canada be examined upon oath before, or make production of books, papers, documents or articles to, any one member of the Board, or before or to any officer of the Board, or before or to any other person named for the purpose by the order of the Board, and may make such orders as seem to it proper for securing the attendance of such witness and his examination, and the production by him of books, papers, documents, or articles, and the use of the evidence so obtained, and otherwise exercise, for the enforcement of such orders or punishment for disobedience thereof, all powers that are exercised by any superior court in Canada for the enforcement of subpœnas to witnesses or punishment of disobedience thereof; Provided, however, that no person shall be compellable, against his will, to attend for such examination or production at any place outside the province in which he is served with the order of the Board for the purpose.

Proviso.

Commissions to take evidence in foreign countries.

"5. The Board may issue commissions to take evidence in a foreign country, and make all proper orders for the purpose, and for the return and use of the evidence so obtained.

Appointment of receiver not to oust jurisdiction of Board.

"6. The fact that a receiver, manager, or other official of any railway, or a receiver of the property of a railway company, has been appointed by any court in Canada or any province thereof, or is managing or operating a railway under the authority of any such court, shall not be a bar to the exercise by the Board of any jurisdiction conferred by this Act; but every such receiver, manager, or official shall be bound to manage and operate any such railway in accordance with this Act and with the orders and directions of the Board, whether general or referring particularly to such railway; and every such receiver, manager, or official, and every person acting under him, shall obey all orders of the Board in respect of such railway (within the jurisdiction of the Board to make under this Act), and be subject to have them enforced against him by the Board, notwithstanding the fact that such receiver, manager, official, or person is appointed by or acts under the authority of any court.

Board to determine who is a "party interested."

"7. The decision of the Board as to whether any company, municipality or person is or is not a party interested within the meaning of this section shall be binding and conclusive upon all companies and persons and in all courts."

1903, c. 58, s. 44 amended.

3. Subsection 3 of section 44 of the said Act is repealed and the following is substituted therefor:—

Appeal to Supreme

"3. An appeal shall lie from the Board to the Supreme Court of Canada upon a question of jurisdiction, but such appeal shall

not lie unless it is allowed by a judge of the said court upon application and upon notice to the parties and the Board and hearing such of them as appear and desire to be heard; the costs of such application shall be in the discretion of the judge. Court on questions of jurisdiction.

"An appeal shall also lie from the Board to the said court upon any question which in the opinion of the Board is a question of law, upon leave therefor having been first obtained from the Board. The granting of such leave shall be in the discretion of the Board." On questions of law.

4. The Board may accept evidence upon affidavit or written affirmation, in cases in which it seems to it proper to do so. Evidence by affidavit.

2. All persons authorized to administer oaths to be used in any of the superior courts of any province may administer oaths in such province to be used in applications, matters or proceedings before the Board. Who may administer oaths in Canada.

3. All persons authorized by the Governor in Council to administer oaths within or out of Canada, in or concerning any proceeding had or to be had in the Supreme Court of Canada or in the Exchequer Court of Canada, may administer oaths in or concerning any application, matter, or proceeding before the Board. Commissioners for Supreme and Exchequer Court.

4. Any oath administered out of Canada, before any commissioner authorized to take affidavits to be used in His Majesty's High Court of Justice in England, or before any notary public, certified under his hand and official seal, or before the mayor or chief magistrate of any city, borough or town corporate in Great Britain or Ireland, or in any colony or possession of His Majesty out of Canada, or in any foreign country, and certified under the common seal of such city, borough, or town corporate, or before a judge of any court of supreme jurisdiction in any colony or possession of His Majesty, or dependency of the Crown out of Canada, or before any consul, vice-consul, acting-consul, pro-consul or consular agent of His Majesty, exercising his functions in any foreign place, certified under his official seal, concerning any application, matter or proceeding had or to be had by or before the Board, shall be as valid and of like effect, to all intents, as if it had been administered before a person authorized by the Governor in Council as in the next preceding subsection provided. Oaths outside Canada.

5. Every document purporting to have affixed, imprinted or subscribed thereon or thereto the signature of any such person or commissioner so authorized as aforesaid, or the signature or official seal of any such notary public, or the signature of any such mayor or chief magistrate and the common seal of the corporation, or the signature and official seal of any such consul, vice-consul, acting-consul, pro-consul, or consular agent, in testimony of any oath having been administered by or before him, shall be admitted in evidence before the Board without proof of any such signature or seal being the signture or seal of the person or corporation whose signature or seal it purports to be, or of the official character of such person. Documents with signature of commissioner, etc., to be prima facie evidence.

6. No informality in the heading or other formal requisites of any oath made before any person under any provision of this Act shall be an objection to its reception in evidence before the Informalities shall not invalidate.

Board, if the Board thinks proper to receive it; and if it is actually sworn to, by the person making it, before any person duly authorized thereto, and is received in evidence, no such informality shall be set up to defeat an indictment for perjury.

New s. 91.

5. Section 91 of the said Act is repealed and the following is substituted therefor:—

Declaration of dividends.

"**91.** Dividends, at and after the rate of so much per share upon the several shares held by the shareholders in the stock of the company, may, from time to time, be declared and paid by the directors out of the net profits of the undertaking."

S. 122 amended.

6. Subsection 3 of section 122 of the said Act is repealed and the following is substituted therefor:—

Approval of map and location.

"3. Before approving such map and location the Minister may, subject to the Special Act, make such changes and alterations therein as he may deem expedient, and upon being satisfied therewith shall signify his approval upon the map and the duplicate thereof, and when so approved, the map and application shall be filed in the Department of Railways and Canals and the duplicate thereof with the Board. The Minister in approving any such map and location may approve the whole or any portion thereof, and where he approves only a portion thereof he shall signify his approval upon the map and the duplicate thereof accordingly."

S. 123 amended.

7. Subsection 1 of section 123 of the said Act is repealed and the following is substituted therefor:—

Sanction by Board.

"Such plan, profile and book of reference shall be submitted to the Board who, if satisfied therewith, may sanction the same, and by such sanction shall be deemed to have approved merely the location of the railway and the grades and curves thereof, as shown in such plan, profile and book of reference, but not to have relieved the company from otherwise complying with this Act. In granting any such sanction the Board shall be bound by the general location as approved by the Minister, provided that the Board may, unless the Minister otherwise specifically directs, sanction a deviation of not more than one mile from any one point on the said general location so approved."

To be deemed approval of location only, and as approved by minister.

S. 139 amended.

8. Subsection 1 of section 139 of the said Act is repealed and the following is substituted therefor:—

Where more ample space required.

"Should the company require, at any point on the railway, more ample space than it then possesses or may take under the preceding section, for the convenient accommodation of the public, or the traffic on its railway, or for protection against snow-drifts, or for the diversion of a highway, or for the substitution of one highway for another, or for the construction or taking of any works or measures ordered by the Board under any of the provisions of this Act or the Special Act, or to secure the efficient construction, maintenance or operation of the railway, it may apply to the Board for authority to take the same, for such purposes, without the consent of the owner."

2. The said section 139 is further amended by adding at the end thereof the following subsection:— Subsection added.

"7. The Board may, upon consent in writing having been first obtained from the Minister in that behalf, repeal, rescind, change or vary any certificate of the Minister made under section 109 of the Railway Act, chapter 29 of the statutes of 1888." Repeal and change of certificates made under 1888, c. 29, s. 109.

9. Section 171 of the said Act is repealed and the following is substituted therefor:— New s. 171.

"**171.** The judge shall not grant any warrant under the next preceding section, unless ten days' previous notice of the time and place when and where the application for such warrant is to be made has been served upon the owner of the land or the person empowered to convey the land or interested in the land sought to be taken, or which may suffer damage from the taking of materials sought to be taken, or the exercise of the powers sought to be exercised, or the doing of the thing sought to be done, by the company; and unless the company gives security to his satisfaction, by payment into court, of a sum in his estimation sufficient to cover the probable compensation and costs of the arbitration, and not less than fifty per cent above the amount mentioned in the notice served under section 154." Procedure upon application for warrant. Deposit of compensation.

10. When any person having authority to create, develop, enlarge or change any water power, or any electrical or power development by means of water, desires for any such purpose to carry any canal, flume pipe, ditch or wire across, over or under any railway, and is unable to agree with the railway company as to the terms and conditions upon which the same may be so carried over, under or across the said railway, an application may be made to the Board for leave to construct the necessary works. When canals, pipes or wires require to be carried across a railway. Application to Board.

2. Upon such application the applicant shall submit to the Board a plan and profile of the railway at the point where it is desired to make such crossing, and a plan or plans showing the proposed method of carrying such canal, flume pipe, ditch or wire across, over or under the said railway, and such other plans, drawings and specifications as the Board in any case or by any regulation requires. Plan and profile.

3. The Board may, by order, grant such application on such terms and conditions as to protection and safety, payment of compensation or otherwise, as it deems just and proper, may change the plans, profiles, drawings and specifications so submitted, and fix the place and mode of crossing, and may give directions as to the method in which the works are to be constructed and as to supervision of the construction of the works and the maintenance thereof, and order that detailed plans, drawings and specifications of any works, structures, equipment or appliances required shall before construction or installation be submitted to and approved by the Board. Terms of order.

11. Subsection 3 of section 175 of the said Act is repealed and the following is substituted therefor:— Section 175 amended.

"3. Upon such deposit, the company shall give four weeks' public notice of its intention to apply to the Board under this section, in some newspaper published in each county through Notice of application to Board to be published.

which the branch line is to pass, or, if there should be no newspaper published in any such county, then for the same period in the *Canada Gazette:* Provided that the Board may dispense with or shorten the time of such notice in any case in which it deems it proper."

Proviso.

Section 176 amended.

12. Subsections 1, 2 and 3 of section 176 of the said Act are repealed and the following are substituted therefor:—

Branch lines to industry within 6 miles of railway may be ordered by Board.

"Where an industry or business is established, or intended to be established, within six miles of a railway, and the owner of such industry or business, or the person intending to establish the same, is desirous of obtaining railway facilities in connection therewith, but cannot agree with the company as to the construction and operation of a spur or branch line from the railway thereto, the Board may, on the application of such owner or person and upon being satisfied of the necessity for such spur or branch line in the interests of trade, order the company to construct, maintain and operate such branch line or spur, and may direct such owner or person to deposit in some chartered bank such sum or sums as are by the Board deemed sufficient, or are by it found to be necessary to defray all expenses of constructing and completing the spur or branch line in good working order, including the cost of the right of way, incidental expenses and damages; and the amount so deposited shall, from time to time, be paid to the company upon the order of the Board, as the work progresses.

Deposit to be made by owner of industry.

Payments therefrom to company.

Owner to be refunded by rebate on tolls.

"2. The aggregate amount so paid by the applicant in the construction and completion of the said spur or branch line shall be repaid or refunded to the applicant by the company by way of rebate, to be determined and fixed by the Board, out of or in proportion to the tolls charged by the company in respect of the carriage of traffic for the applicant over the said spur or branch line; and until so repaid or refunded the applicant shall have a special lien therefor upon such branch line, to be reimbursed by rebate as aforesaid.

Owner's lien until re-imbursed.

"3. Upon repayment by the company to such applicant of all payments made by the applicant upon such construction, the said spur or branch line, right of way and equipment shall become the absolute property of the company, free from any such lien."

Discharge of lien.

New section 177.

13. Section 177 of the said Act is repealed and the following is substituted therefor:—

Railway crossings and junctions.

"**177.** The railway lines or tracks of any company shall not cross or join, or be crossed or joined, by or with any other railway lines or tracks (other than those of such company), whether otherwise within the legislative authority of the Parliament of Canada or not, until leave therefor has been obtained from the Board as hereinafter provided.

Power of the Board.

Proceedings on application to Board.

"2. Upon any application for such leave the applicant shall submit to the Board a plan and profile of such crossing or junction, and such other plans, drawings and specifications as the Board may in any case, or by regulation, require.

Order of Board.

"The Board may by order grant such application on such terms as to protection and safety as it deems expedient, may change the plan and profile, drawings and specifications, so submitted,

and fix the place and mode of crossing or junction, and may direct that one line or track, or one set of lines or tracks, be carried over or under another line or track or set of lines or tracks, and that such works, structures, equipment, appliances and materials be constructed, provided, installed, maintained, used or operated, watchmen or other persons employed, and measures taken, as under the circumstances appear to the Board best adapted to remove and prevent all danger of accident, injury or damage, and may determine the amount of damage and compensation, if any, to be paid for any property or land taken or injuriously affected by reason of the construction of such works.

Supervision of works.

"3. The Board may give directions as to supervision of the construction of the works, and order that detailed plans, drawings and specifications of any works, structures, equipment or appliances required, shall, before construction or installation, be submitted to and approved by the Board.

Operation of trains over crossing or junction.

"4. No trains shall be operated on the lines or tracks of the applicant over, upon or through such crossing or junction until the Board grants an order authorizing such operation, but the Board shall not grant such order until satisfied that its orders and directions have been carried out, and that the provisions of this section have been complied with.

Connections of intersecting railway lines.

"5. Where the lines or tracks of one railway are intersected or crossed by those of another, or upon any application for leave to make any intersection or crossing, or in any case in which the tracks or lines of two different railways run through or into the same city, town or village, the Board may, upon the application of one of the companies, or of a municipal corporation or other public body, or of any person or persons interested, order that the lines or tracks of such railways shall be so connected, at or near the point of intersection or crossing or in or near such city, town or village, as to admit of the safe and convenient transfer or passing of engines, cars and trains, from the tracks or lines of one railway to those of another, and that such connection shall be maintained and used. In and by the order for such connection, or from time to time subsequently, the Board may determine by what company or companies, or other corporations or persons, and in what proportions, the cost of making and maintaining any such connections shall be borne, and upon what terms traffic shall be thereby transferred from the lines of one railway to those of another."

New section 178.

14. Section 178 of the said Act is repealed and the following is substituted therefor:—

Safety appliances on rail-level crossings.

"**178.** The Board may order the adoption and use at any such crossing or junction, at rail level, of such interlocking switch, derailing device, signal system, equipments, appliances and materials, as in the opinion of the Board renders it safe for engines and trains to pass over such crossing or junction without being brought to a stop."

S. 212 amended.

15. Subsection 2 of section 212 of the said Act is repealed and the following is substituted therefor:—

Power to regulate running and operation of trains.

"2. The Board shall endeavour to provide for uniformity in the construction of rolling stock to be used upon the railway

and for a uniformity of rules for the operation and running of trains; and may make regulations designating the number of men to be employed upon trains, or providing that coal shall be used on all locomotives instead of wood in any district, and generally with respect to the running and operation of trains by the company, for the protection of property, and the protection, safety, accommodation and comfort of the public and the employees of the company."

Section 214 amended.

Accommodation may be ordered by Board.

16. Subsection 4 of section 214 of the said Act is repealed and the following is substituted therefor:—

"4. If in any case such accommodation is not, in the opinion of the Board, furnished by the company, the Board may order the company to furnish the same within such time or during such period as the Board deems expedient, having regard to all proper interests, or may prohibit or limit the running of trains, or of any particular class of trains, on any railway or specified part thereof, or the use, either generally or upon any specified railway or part thereof, of any designated engines, locomotives, cars, rolling stock, apparatus, machinery, or devices, or any kind or class thereof."

Board may regulate time tables so as to allow connections to be made between railways for passengers and mails.

17. Section 214 of the said Act is further amended by adding thereto the following subsection:—

"5. Where a company's railway crosses or joins or approaches (in the opinion of the Board) sufficiently near to any other railway, upon which passengers or mails are transported, whether the last mentioned railway is within the legislative authority of the Parliament of Canada or not, the Board may order the company to so regulate the running of its trains carrying passengers or mails, and the places and times of stopping them, as to afford reasonable opportunity for the transfer of passengers and mails between its railway and such other railway, and may order the company to furnish reasonable facilities and accommodation for such purpose."

New s. 235.

Notice of accident.

Penalty for omission.

18. Section 235 of the said Act is repealed and the following is substituted therefor:—

"**235.** Every company shall, as soon as possible, and immediately after the head officers of the company have received information of the occurrence upon the railway belonging to such company, of any accident attended with personal injury to any person using the railway, or to any employee of the company, or whereby any bridge, culvert, viaduct or tunnel on or of the railway has been broken or so damaged as to be impassable or unfit for immediate use, give notice thereof, with full particulars, to the Board; and every company which wilfully or negligently omits to give such notice shall forfeit to His Majesty the sum of two hundred dollars for every day during which the omission to give such notice continues."

Section 253 amended.

Facilities for junction of private sidings, branches, etc.

19. Section 253 of the said Act is amended by adding thereto the following subsections:—

"3. The reasonable facilities which every railway company is required to afford under this section, shall include reasonable facilities for the junction of private sidings or private branch

railways with any railway belonging to or worked by any such company, and reasonable facilities for receiving, forwarding and delivering traffic upon and from those sidings or private branch railways, and the adequate and suitable accommodation referred to in section 214 of this Act shall include the reasonable facilities above mentioned, together with the placing of cars and moving them upon and from such private sidings and private branch railways.

Specific works may be ordered by Board.

"4. For the purposes of this section, or of section 214 of this Act, the Board may order that specific works be constructed or carried out, or that property be acquired, or that specified tolls be charged, or that cars, motive power or other equipment be allotted, distributed, used or moved as specified by the Board, or that any specified steps, systems, or methods be taken or followed by any particular company or companies, or by railway companies generally."

S. 295 amended.

20. Section 295 of the said Act is repealed and the following is substituted therefor:—

Intoxication of railway employees.]

"**295.** Every conductor, locomotive engineer, train dispatcher, telegraph operator, station agent, switchman, signal man, bridge tenderer, or any other person who is intoxicated, or under the influence of liquor, while on duty, in charge of or in any employment having to do with the movement of trains upon any railway, is guilty of an offence, and shall be punished by fine, not exceeding four hundred dollars, or imprisonment, not exceeding five years, or both, in the discretion of the court before which the conviction is had, and according as such court considers the offence proved to be more or less grave as causing injury to, or as exposing or likely to expose to injury, although no actual injury occurs to any person or property.

Sale of liquor to railway employees on duty.

"2. Every person who knowingly or wilfully sells, gives, or barters any spirituous or intoxicating liquor to or with any servant or employee of any company, while on duty, is liable on summary conviction to a penalty not exceeding fifty dollars, or to imprisonment with or without hard labour for a period not exceeding one month, or to both."

Section 303 amended.

21. Subsections 3 and 4 of section 303 are repealed and the following are substituted therefor:—

Duplicate for Minister.

"3. A duplicate copy of such returns, dated, signed and attested in manner aforesaid shall be forwarded by such company to the Minister within one month after the first day of July in each year.

Minister may change forms.

"4. The Minister may, from time to time, change or vary the forms in the said schedule one contained, or may substitute other forms in lieu thereof, and, upon any such change, variation or substitution being so made, the company shall, in the manner above provided, prepare, make and forward returns accordingly; the company shall also, at all times, give such information to the Minister as the Minister may, from time to time, require for statistical purposes."

Company to give information.

S. 193 amended.

22. Section 193 of the said Act is amended by adding thereto as subsection 2 the following:—

Contracts giving exclusive privileges not to be taken into consideration in determining compensation.

"2. Nothwitstanding anything in any Act contained ,the Board, in determining the terms or compensation upon which any such connection or communication is to be provided for, shall not take into consideration any contract, lease or agreement now or hereafter in force by which the company has given or gives any exclusive or other privilege to any company or person, other than the applicant, with respect to any such station or premises."

"Company" defined in sections following.

23. In this section and in the following sections of this Act, unless the context otherwise requires, the expression "company" means a company, within the meaning of the Railway Act, 1903, having authority to construct and operate or to operate a telephone system or line, and to charge telephone tolls, and includes also a telephone company and every company and person having legislative authority from the Parliament of Canada to construct and operate or to operate a telephone system or line, and to charge telephone tolls; and the expression "telephone toll" means and includes any toll, rate, or charge to be charged by the company to the public, or to any person, for the use of a telephone system or line, or any part thereof, or for the transmission of a message by telephone, or for the installation and use of telephone instruments, lines, or apparatus, or for any service incidental to a telephone business.

"Telephone toll" defined.

Approval of telephone tolls.

24. Notwithstanding anything in any Act heretofore or hereafter passed by Parliament, all telephone tolls to be charged by the company shall be subject to the approval of the Board.

Tariff of tolls to be filed with Board.

2. The company shall file with the Board tariffs of the telephone tolls to be charged, and such tariffs shall be in such form, size and style and give such information, particulars and details as the Board, from time to time, by regulation, or in any particular case, prescribes, and the company shall not and shall not be entitled to charge any telephone toll in respect of which there is default in such filing, or which is disallowed by the Board;

Proviso.

provided, that any company, now or immediately previous to the passing of this Act, charging telephone tolls may, without such filing and approval, for a period of three months after the passing of this Act, or for such further period as the Board allows, charge such telephone tolls as such company was immediately previous to the passing of this Act authorized by law to charge.

Tariffs, how to be dealt with.

3. Such telephone tariffs may be dealt with by the Board in the same manner as is provided by the Railway Act, 1903, with respect to standard freight tariffs; and all the provisions of the Railway Act, 1903, (except as to publication under section 274) applicable to the company with respect to standard freight tariffs and tolls chargeable thereunder shall, in so far as they are applicable and not inconsistent with this Act, apply to the Company with respect to such telephone tariffs and telephone tolls chargeable under such telephone tariffs.

Board may order telephone company to make

25. Whenever any province, municipality, or corporation, having authority to construct and operate or to operate a telephone system or line and to charge telephone tolls, is desirous of using any telephone system or line owned, controlled, or

operated by the company, upon which system or line the company is authorized to charge telephone tolls, in order to connect such telephone system or line with the telephone system or line operated or to be operated by such province, municipality, or corporation for the purpose of obtaining direct communication, whenever required, between any telephone or telephone exchange on the one telephone system or line and any telephone or telephone exchange on the other telephone system or line, and cannot agree with such company with respect to obtaining such connection or communication, or such use, such province, municipality or corporation may apply to the Board for relief, and the Board may order such company to provide for such connection or communication, or such use, upon such terms as to compensation as the Board deems just and expedient, and may order and direct how, when, where, by whom and upon what terms and conditions such connection or communication, or such use, shall be had, constructed, installed, operated and maintained.

connection with municipal telephone system.

Terms of order.

2. Upon any such application the Board shall, in addition to any other consideration affecting the case, take into consideration the standards as to efficiency and otherwise of the apparatus and appliances of such telephone systems or lines, and shall only grant the leave applied for in case and in so far as, in view of such standards, the connection or communication or use applied for can, in the opinion of the Board, be made or exercised satisfactorily and without undue or unreasonable injury to or interference with the telephone business of such company.

Board shall consider standard of efficiency.

26. Where the telephone system or line operated by the company is connected or used in communication with the telephone system or line operated by another such company or by any province, municipality or corporation, whether the authority of such province, municipality or corporation to construct and operate or to operate such telephone system or line is derived from the Parliament of Canada or otherwise, and whether such connection or communication has been previously or is hereafter established either by agreement of the parties or under an order of the Board, the provisions of the Railway Act, 1903, with respect to joint tariffs, in so far as they are applicable and not inconsistent with this Act, shall apply to such company or companies and to such province, municipality or corporation.

Provisions of Railway Act with respect to joint tariffs to apply.

2. The Board shall have, for the enforcement of its order in this respect, in addition to all other powers possessed by it therefor, the power to order a discontinuance of such connection or communication between such different telephone systems or lines.

Power of Board to enforce order.

27. The company shall, from time to time, cause to be printed and posted up in its offices and in every place where telephone tolls are to be charged, in some conspicuous position, a printed board or paper exhibiting all telephone tolls so to be charged.

Tariff of tolls to be posted up.

28. All contracts, agreements and arrangements between the company and any other such company, or any province,

Agreements between telephone

companies and municipalities to be approved by Board.

municipality or corporation having authority to construct and operate or to operate a telephone system or line, whether such authority is derived from the Parliament of Canada or otherwise for the regulation and interchange of telephone messages or service passing to and from their respective telephone systems and lines, or for the division or apportionment of telephone tolls, or generally in relation to the management working, or operation of their respective telephone systems or lines, or any of them, or any part thereof, or of any other systems or line operated in connection with them or either of them, shall be subject to the approval of the Board, and shall be submitted to and approved by the Board before such contract, agreement or arrangement shall have any force or effect.

No. 62.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to amend the Railway Act, 1903.

[*Reprinted as amended in Committee of the Whole House.*]

MR. EMMERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 62.] **BILL.** [1906.

An Act to amend the Railway Act, 1903.

[*Second reprint: as amended in Committee of the Whole.*]

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

1. The Railway Act, 1903, is amended by inserting the following section immediately after section 16:— 1903, c. 58, section added.

"**16A.** The Board shall, within three months after the thirty-first day of March in each year, make to the Governor in Council through the Minister an annual report respecting, (*a*) applications to and proceedings of the Board under this Act and the Railway Act, 1903, during the year next preceding the thirty-first day of March, (*b*) such other matters as appear to the Board to be of public interest in connection with the persons, companies and railways subject to the said Acts, and (*c*) such matters as the Governor in Council directs. Annual report to be made.

"2. The said report shall be laid before the House of Commons of Canada during the first fifteen days of the then next session of Parliament." Report to be laid before House of Commons.

2. Section 23 of the said Act is repealed and the following is substituted therefor:— New section 23.

"**23.** The Board shall have full jurisdiction to inquire into, hear and determine any application by or on behalf of any party interested,— Jurisdiction of Board upon application.

"(*a*) complaining that any company or person has failed to do any act, matter or thing required to be done by this Act, or the Special Act, or by any regulation, order or direction made thereunder by the Governor in Council, the Minister, the Board, or any inspecting engineer, or that any company or person has done or is doing any act, matter or thing contrary to, or in violation of this Act, or the Special Act, or any such regulation, order, or direction; or, Neglect of duties under any Act, regulation or order. Violations.

"(*b*) requesting the Board to make any order, or give any direction, sanction or approval, which by law it is authorized to make or give, or with respect to any matter, act or thing which by this Act or the Special Act is prohibited, sanctioned or required to be done. Giving orders, directions or approval.

"2. The Board may order and require any company or person to do forthwith, or within or at any specified time, and in any manner prescribed by the Board, so far as is not inconsistent with this Act, any act, matter or thing which such company or person is or may be required or authorized to do under this Mandatory order.

Injunction order.

Act, or the Special Act, and may forbid the doing or continuing of any act, matter or thing which is contrary to this Act or the Special Act.

Questions of law and fact.

"3. For the purposes of this Act the Board shall have full jurisdiction to hear and determine all matters whether of law or of fact, and shall, as respects the attendance and examination of witnesses, the production and inspection of documents, the enforcement of its orders, the entry on and inspection of property and other matters necessary or proper for the due exercise of its jurisdiction under this Act, or otherwise for carrying this Act into effect, have all such powers, rights and privileges as are vested in a superior court.

All powers of a superior court.

Powers regarding witnesses and evidence.

"4. The Board may order that any witness resident or present in Canada be examined upon oath before, or make production of books, papers, documents or articles to, any one member of the Board, or before or to any officer of the Board, or before or to any other person named for the purpose by the order of the Board, and may make such orders as seem to it proper for securing the attendance of such witness and his examination, and the production by him of books, papers, documents, or articles, and the use of the evidence so obtained, and otherwise exercise, for the enforcement of such orders or punishment for disobedience thereof, all powers that are exercised by any superior court in Canada for the enforcement of subpœnas to witnesses or punishment of disobedience thereof; Provided, however, that no person shall be compellable, against his will, to attend for such examination or production at any place outside the province in which he is served with the order of the Board for the purpose.

Proviso.

Commissions to take evidence in foreign countries.

"5. The Board may issue commissions to take evidence in a foreign country, and make all proper orders for the purpose, and for the return and use of the evidence so obtained.

Appointment of receiver not to oust jurisdiction of Board.

"6. The fact that a receiver, manager, or other official of any railway, or a receiver of the property of a railway company, has been appointed by any court in Canada or any province thereof, or is managing or operating a railway under the authority of any such court, shall not be a bar to the exercise by the Board of any jurisdiction conferred by this Act; but every such receiver, manager, or official shall be bound to manage and operate any such railway in accordance with this Act and with the orders and directions of the Board, whether general or referring particularly to such railway; and every such receiver, manager, or official, and every person acting under him, shall obey all orders of the Board in respect of such railway (within the jurisdiction of the Board to make under this Act), and be subject to have them enforced against him by the Board, notwithstanding the fact that such receiver, manager, official, or person is appointed by or acts under the authority of any court.

Board to determine who is a "party interested."

"7. The decision of the Board as to whether any company, municipality or person is or is not a party interested within the meaning of this section shall be binding and conclusive upon all companies and persons and in all courts."

1903, c. 58, s. 44 amended.

3. Subsection 3 of section 44 of the said Act is repealed and the following is substituted therefor:—

Appeal to Supreme

"3. An appeal shall lie from the Board to the Supreme Court of Canada upon a question of jurisdiction, but such appeal shall

not lie unless it is allowed by a judge of the said court upon application and upon notice to the parties and the Board and hearing such of them as appear and desire to be heard; the costs of such application shall be in the discretion of the judge. Court on questions of jurisdiction.

"An appeal shall also lie from the Board to the said court upon any question which in the opinion of the Board is a question of law, upon leave therefor having been first obtained from the Board. The granting of such leave shall be in the discretion of the Board." On questions of law.

4. The Board may accept evidence upon affidavit or written affirmation, in cases in which it seems to it proper to do so. Evidence by affidavit.

2. All persons authorized to administer oaths to be used in any of the superior courts of any province may administer oaths in such province to be used in applications, matters or proceedings before the Board. Who may administer oaths in Canada.

3. All persons authorized by the Governor in Council to administer oaths within or out of Canada, in or concerning any proceeding had or to be had in the Supreme Court of Canada or in the Exchequer Court of Canada, may administer oaths in or concerning any application, matter, or proceeding before the Board. Commissioners for Supreme and Exchequer Court.

4. Any oath administered out of Canada, before any commissioner authorized to take affidavits to be used in His Majesty's High Court of Justice in England, or before any notary public, certified under his hand and official seal, or before the mayor or chief magistrate of any city, borough or town corporate in Great Britain or Ireland, or in any colony or possession of His Majesty out of Canada, or in any foreign country, and certified under the common seal of such city, borough, or town corporate, or before a judge of any court of supreme jurisdiction in any colony or possession of His Majesty, or dependency of the Crown out of Canada, or before any consul, vice-consul, acting-consul, pro-consul or consular agent of His Majesty, exercising his functions in any foreign place, certified under his official seal, concerning any application, matter or proceeding had or to be had by or before the Board, shall be as valid and of like effect, to all intents, as if it had been administered before a person authorized by the Governor in Council as in the next preceding subsection provided. Oaths outside Canada.

5. Every document purporting to have affixed, imprinted or subscribed thereon or thereto the signature of any such person or commissioner so authorized as aforesaid, or the signature or official seal of any such notary public, or the signature of any such mayor or chief magistrate and the common seal of the corporation, or the signature and official seal of any such consul, vice-consul, acting-consul, pro-consul, or consular agent, in testimony of any oath having been administered by or before him, shall be admitted in evidence before the Board without proof of any such signature or seal being the signture or seal of the person or corporation whose signature or seal it purports to be, or of the official character of such person. Documents with signature of commissioner, etc., to be prima facie evidence.

6. No informality in the heading or other formal requisites of any oath made before any person under any provision of this Act shall be an objection to its reception in evidence before the Informalities shall not invalidate.

Board, if the Board thinks proper to receive it; and if it is actually sworn to, by the person making it, before any person duly authorized thereto, and is received in evidence, no such informality shall be set up to defeat an indictment for perjury.

New s. 91.

5. Section 91 of the said Act is repealed and the following is substituted therefor:—

Declaration of dividends.

"**91.** Dividends, at and after the rate of so much per share upon the several shares held by the shareholders in the stock of the company, may, from time to time, be declared and paid by the directors out of the net profits of the undertaking."

S. 122 amended.

6. Subsection 3 of section 122 of the said Act is repealed and the following is substituted therefor:—

Approval of map and location.

"3. Before approving such map and location the Minister may, subject to the Special Act, make such changes and alterations therein as he may deem expedient, and upon being satisfied therewith shall signify his approval upon the map and the duplicate thereof, and when so approved, the map and application shall be filed in the Department of Railways and Canals and the duplicate thereof with the Board. The Minister in approving any such map and location may approve the whole or any portion thereof, and where he approves only a portion thereof he shall signify his approval upon the map and the duplicate thereof accordingly."

S. 123 amended.

7. Subsection 1 of section 123 of the said Act is repealed and the following is substituted therefor:—

Sanction by Board.

"Such plan, profile and book of reference shall be submitted to the Board who, if satisfied therewith, may sanction the same, and by such sanction shall be deemed to have approved merely the location of the railway and the grades and curves thereof, as shown in such plan, profile and book of reference, but not to have relieved the company from otherwise complying with this Act. In granting any such sanction the Board shall be bound by the general location as approved by the Minister, provided that the Board may, unless the Minister otherwise specifically directs, sanction a deviation of not more than one mile from any one point on the said general location so approved."

To be deemed approval of location only, and as approved by minister.

New s. 137.

8. Subsection 1 of secton 137 of the said Act is repealed and the following subsection is substituted therefor:—

Lands of other companies.

"**137.** The Company may take possession of, use or occupy any lands belonging to any other railway company, use and enjoy the whole or any portion of the right of way, tracks, terminals, stations or station grounds of any other company railway, and have and exercise full right and power to run and operate its trains over and upon any portion or portions of the railway of any other railway company, subject always to the approval of Board first obtained and to any order and direction which the Board may make in regard to the exercise, enjoyment or restriction of such powers or privileges."

S. 139 amended.

9. Subsection 1 of section 139 of the said Act is repealed and the following is substituted therefor:—

Where more ample space required.

"Should the company require, at any point on the railway, more ample space than it then possesses or may take under the

preceding section, for the convenient accommodation of the public, or the traffic on its railway, or for protection against snowdrifts, or for the diversion of a highway, or for the substitution of one highway for another, or for the construction or taking of any works or measures ordered by the Board under any of the provisions of this Act or the Special Act, or to secure the efficient construction, maintenance or operation of the railway, it may apply to the Board for authority to take the same, for such purposes, without the consent of the owner."

2. The said section 139 is further amended by adding at the end thereof the following subsection:— Subsection added.

"7. The Board may, upon consent in writing having been first obtained from the Minister in that behalf, repeal, rescind, change or vary any certificate of the Minister made under section 109 of the Railway Act, chapter 29 of the statutes of 1888." Repeal and change of certificates made under 1888, c. 29, s. 109.

10. Section 159 of the said Act is amended by adding thereto the following subsection:— Section 159 amended.

2. "If the opposite party is absent from the district or county in which the lands lie, or is unknown, service of such six days' notice may be made by advertisement as in the next two preceding sections provided; provided that the judge may dispense with, or shorten the time or times for, the publication of the notice in any such case in which he deems it proper." Service by publication.

11. Section 171 of the said Act is repealed and the following is substituted therefor:— New s. 171.

"**171.** The judge shall not grant any warrant under the next preceding section, unless ten days' previous notice of the time and place when and where the application for such warrant is to be made has been served upon the owner of the land or the person empowered to convey the land or interested in the land sought to be taken, or which may suffer damage from the taking of materials sought to be taken, or the exercise of the powers sought to be exercised, or the doing of the thing sought to be done, by the company; and unless the company gives security to his satisfaction, by payment into court, of a sum in his estimation sufficient to cover the probable compensation and costs of the arbitration, and not less than fifty per cent above the amount mentioned in the notice served under section 154." Procedure upon application for warrant. Deposit of compensation.

12. When any person having authority to create, develop, enlarge or change any water power, or any electrical or power development by means of water, or to develop and operate mineral claims or mines, desires for any such purpose to carry any canal, tunnel, flume pipe, ditch or wire across, over or under any railway, and is unable to agree with the railway company as to the terms and conditions upon which the same may be so carried over, under or across the said railway, an application may be made to the Board for leave to construct the necessary works. When canals, pipes or wires require to be carried across a railway. Application to Board.

2. Upon such application the applicant shall submit to the Board a plan and profile of the railway at the point where it is desired to make such crossing, and a plan or plans showing the proposed method of carrying such canal, tunnel, flume pipe, ditch or wire across, over or under the said railway, and such other Plan and profile.

plans, drawings and specifications as the Board in any case or by any regulation requires.

Terms of order.

3. The Board may, by order, grant such application on such terms and conditions as to protection and safety, payment of compensation or otherwise, as it deems just and proper, may change the plans, profiles, drawings and specifications so submitted, and fix the place and mode of crossing, and may give directions as to the method in which the works are to be constructed and as to supervision of the construction of the works and the maintenance thereof, and order that detailed plans, drawings and specifications of any works, structures, equipment or appliances required shall before construction or installation be submitted to and approved by the Board.

Section 175 amended.

13. Subsection 3 of section 175 of the said Act is repealed and the following is substituted therefor:—

Notice of application to Board to be published.

"3. Upon such deposit, the company shall give four weeks' public notice of its intention to apply to the Board under this section, in some newspaper published in each county through which the branch line is to pass, or, if there should be no newspaper published in any such county, then for the same period in the *Canada Gazette:* Provided that the Board may dispense with or shorten the time of such notice in any case in which it deems it proper."

Proviso.

Section 176 amended.

14. Subsections 1, 2 and 3 of section 176 of the said Act are repealed and the following are substituted therefor:—

Branch lines to industry within 6 miles of railway may be ordered by Board.

"Where an industry or business is established, or intended to be established, within six miles of a railway, and the owner of such industry or business, or the person intending to establish the same, is desirous of obtaining railway facilities in connection therewith, but cannot agree with the company as to the construction and operation of a spur or branch line from the railway thereto, the Board may, on the application of such owner or person and upon being satisfied of the necessity for such spur or branch line in the interests of trade, order the company to construct, maintain and operate such branch line or spur, and may direct such owner or person to deposit in some chartered bank such sum or sums as are by the Board deemed sufficient, or are by it found to be necessary to defray all expenses of constructing and completing the spur or branch line in good working order, including the cost of the right of way, incidental expenses and damages; and the amount so deposited shall, from time to time, be paid to the company upon the order of the Board, as the work progresses.

Deposit to be made by owner of industry.

Payments therefrom to company.

Owner to be refunded by rebate on tolls.

"2. The aggregate amount so paid by the applicant in the construction and completion of the said spur or branch line shall be repaid or refunded to the applicant by the company by way of rebate, to be determined and fixed by the Board, out of or in proportion to the tolls charged by the company in respect of the carriage of traffic for the applicant over the said spur or branch line; and until so repaid or refunded the applicant shall have a special lien therefor upon such branch line, to be reimbursed by rebate as aforesaid.

Owner's lien until re-imbursed.

Discharge of lien.

"3. Upon repayment by the company to such applicant of all payments made by the applicant upon such construction,

the said spur or branch line, right of way and equipment shall become the absolute property of the company, free from any such lien."

15. Section 177 of the said Act is repealed and the following is substituted therefor:— New section 177.

"**177.** The railway lines or tracks of any company shall not cross or join, or be crossed or joined, by or with any other railway lines or tracks (other than those of such company), whether otherwise within the legislative authority of the Parliament of Canada or not, until leave therefor has been obtained from the Board as hereinafter provided. Railway crossings and junctions. Power of the Board.

"2. Upon any application for such leave the applicant shall submit to the Board a plan and profile of such crossing or junction, and such other plans, drawings and specifications as the Board may in any case, or by regulation, require. Proceedings on application to Board.

"The Board may by order grant such application on such terms as to protection and safety as it deems expedient, may change the plan and profile, drawings and specifications, so submitted, and fix the place and mode of crossing or junction, and may direct that one line or track, or one set of lines or tracks, be carried over or under another line or track or set of lines or tracks, and that such works, structures, equipment, appliances and materials be constructed, provided, installed, maintained, used or operated, watchmen or other persons employed, and measures taken, as under the circumstances appear to the Board best adapted to remove and prevent all danger of accident, injury or damage, and may determine the amount of damage and compensation, if any, to be paid for any property or land taken or injuriously affected by reason of the construction of such works. Order of Board.

"3. The Board may give directions as to supervision of the construction of the works, and order that detailed plans, drawings and specifications of any works, structures, equipment or appliances required, shall, before construction or installation, be submitted to and approved by the Board. Supervision of works.

"4. No trains shall be operated on the lines or tracks of the applicant over, upon or through such crossing or junction until the Board grants an order authorizing such operation, but the Board shall not grant such order until satisfied that its orders and directions have been carried out, and that the provisions of this section have been complied with. Operation of trains over crossing or junction.

"5. Where the lines or tracks of one railway are intersected or crossed by those of another, or upon any application for leave to make any intersection or crossing, or in any case in which the tracks or lines of two different railways run through or into the same city, town or village, the Board may, upon the application of one of the companies, or of a municipal corporation or other public body, or of any person or persons interested, order that the lines or tracks of such railways shall be so connected, at or near the point of intersection or crossing or in or near such city, town or village, as to admit of the safe and convenient transfer or passing of engines, cars and trains, from the tracks or lines of one railway to those of another, and that such connection shall be maintained and used. In and by the order for such connection, or from time to time subsequently, the Board Connections of intersecting railway lines.

may determine by what company or companies, or other corporations or persons, and in what proportions, the cost of making and maintaining any such connections shall be borne, and upon what terms traffic shall be thereby transferred from the lines of one railway to those of another."

New section 178.

Safety appliances on rail-level crossings.

16. Section 178 of the said Act is repealed and the following is substituted therefor:—

"**178.** The Board may order the adoption and use at any such crossing or junction, at rail level, of such interlocking switch, derailing device, signal system, equipments, appliances and materials, as in the opinion of the Board renders it safe for engines and trains to pass over such crossing or junction without being brought to a stop."

S. 193 amended.

Contracts giving exclusive privileges not to be taken into consideration in determining compensation.

17. Section 193 of the said Act is amended by inserting after the word "compensation" in the tenth line the words "or otherwise," and also by adding thereto as subsection 2 the following:—

"2. Nothwitstanding anything in any Act contained ,the Board, in determining the terms or compensation upon which any such connection or communication is to be provided for, shall not take into consideration any contract, lease or agreement now or hereafter in force by which the company has given or gives any exclusive or other privilege to any company or person, other than the applicant, with respect to any such station or premises."

S. 212 amended.

Power to regulate running and operation of trains.

18. Subsection 2 of section 212 of the said Act is repealed and the following is substituted therefor:—

"2. The Board shall endeavour to provide for uniformity in the construction of rolling stock to be used upon the railway and for a uniformity of rules for the operation and running of trains; and may make regulations designating the number and the qualifications or time-service required of men to be employed upon trains, or providing that coal shall be used on all locomotives instead of wood in any district, and generally for the protection of property, and the protection, safety, accommodation and comfort of hte public and the employees of the company, in the running and operation of trains by the comyany."

Section 214 amended.

Accommodation may be ordered by Board.

19. Subsection 4 of section 214 of the said Act is repealed and the following is substituted therefor:—

"4. If in any case such accommodation is not, in the opinion of the Board, furnished by the company, the Board may order the company to furnish the same within such time or during such period as the Board deems expedient, having regard to all proper interests, or may prohibit or limit the use, either generally or upon any specified railway or part thereof, of any engines, locomotives, cars, rolling stock, apparatus, machinery, or devices, or any class or kind thereof, not equipped as required by this Act or by any orders or regulations of the Board made within its jurisdiction under the provisions of this Act."

Board may regulate time tables so as to allow connections to be made

20. Section 214 of the said Act is further amended by adding thereto the following subsection:—

"5. Where a company's railway crosses or joins or approaches (in the opinion of the Board) sufficiently near to any other rail-

way, upon which passengers or mails are transported, whether the last mentioned railway is within the legislative authority of the Parliament of Canada or not, the Board may order the company to so regulate the running of its trains carrying passengers or mails, and the places and times of stopping them, as to afford reasonable opportunity for the transfer of passengers and mails between its railway and such other railway, and may order the company to furnish reasonable facilities and accommodation for such purpose."

between railways for passengers and mails.

21. Subsection 1 of section 229 of the said Act is repealed, and the following subsection is substituted therefor:—

Sec. 229 amended.

"**229.** Whenever any railway crosses any highway at rail level, the company shall not, nor shall its officers, agents or employees, willfully permit any engine, tender or car, or any portion thereof, to stand on any part of such highway for a longer period than five minutes at one time, or, in shunting, to obstruct public traffic for a longer period than five minutes at any one time, or, in the opinion of the Board, unnecessarily interfere therewith.

Train standing on rail-level crossing.

22. Section 235 of the said Act is repealed and the following is substituted therefor:—

New s. 235.

"**235.** Every company shall, as soon as possible, and immediately after the head officers of the company have received information of the occurrence upon the railway belonging to such company, of any accident attended with personal injury to any person using the railway, or to any employee of the company, or whereby any bridge, culvert, viaduct or tunnel on or of the railway has been broken or so damaged as to be impassable or unfit for immediate use, give notice thereof, with full particulars, to the Board; and every company which wilfully or negligently omits to give such notice shall forfeit to His Majesty the sum of two hundred dollars for every day during which the omission to give such notice continues."

Notice of accident.

Penalty for omission.

23. Section 253 of the said Act is amended by adding thereto the following subsections:—

Section 253 amended.

"3. The reasonable facilities which every railway company is required to afford under this section, shall include reasonable facilities for the junction of private sidings or private branch railways with any railway belonging to or worked by any such company, and reasonable facilities for receiving, forwarding and delivering traffic upon and from those sidings or private branch railways, and the adequate and suitable accommodation referred to in section 214 of this Act shall include the reasonable facilities above mentioned, together with the placing of cars and moving them upon and from such private sidings and private branch railways.

Facilities for junction of private sidings, branches, etc.

"4. For the purposes of this section, or of section 214 of this Act, the Board may order that specific works be constructed or carried out, or that property be acquired, or that specified tolls be charged, or that cars, motive power or other equipment be allotted, distributed, used or moved as specified by the Board, or that any specified steps, systems, or methods be taken or followed by any particular company or companies, or by railway companies generally."

Specific works may be ordered by Board.

New s. 276.

24. Section 276 of the said Act is repealed and the following section is substituted therefor:—

Traffic by water.

"**276.** When the company owns, charters, uses, maintains or works, or is a party to any arrangement for using, maintaining or working vessels for carrying traffic, by sea or by inland water, between any places or ports in Canada, the provisions of this Act in respect of tolls, tariffs and joint tariffs shall, so far as they are applicable, extend to the traffic carried thereby,

"2. Whete any such vessel carries ttaffic between a port in Canada reached by such company and a port in Canada reached by the railway of another company, the vessel and the railway of either company shall be deemed to constitute a continuous route in Canada within the meaning of section 266 of this Act."

S. 295 amended.

25. Section 295 of the said Act is repealed and the following is substituted therefor:—

Intoxication of railway employees.

"**295.** Every conductor, locomotive engineer, train dispatcher, telegraph operator, station agent, switchman, signal man, bridge tenderer, or any other person who is intoxicated, or under the influence of liquor, while on duty, in charge of or in any employment having to do with the movement of trains upon any railway, is guilty of an offence, and shall be punished by fine, not exceeding four hundred dollars, or imprisonment, not exceeding five years, or both, in the discretion of the court before which the conviction is had, and according as such court considers the offence proved to be more or less grave as causing injury to, or as exposing or likely to expose to injury, although no actual injury occurs to any person or property.

Sale of liquor to railway employees on duty.

"2. Every person who knowingly or wilfully sells, gives, or barters any spirituous or intoxicating liquor to or with any servant or employee of any company, while on duty, is liable on summary conviction to a penalty not exceeding fifty dollars, or to imprisonment with or without hard labour for a period not exceeding one month, or to both."

Section 303 amended.

26. Subsections 3 and 4 of section 303 are repealed and the following are substituted therefor:—

Duplicate for Minister.

"3. A duplicate copy of such returns, dated, signed and attested in manner aforesaid shall be forwarded by such company to the Minister within one month after the first day of July in each year.

Minister may change forms.

"4. The Minister may, from time to time, change or vary the forms in the said schedule one contained, or may substitute other forms in lieu thereof, and, upon any such change, variation or substitution being so made, the company shall, in the manner above provided, prepare, make and forward returns accordingly; the company shall also, at all times, give such information to the Minister as the Minister may, from time to time, require for statistical purposes."

Company to give information.

"Express toll" defined.

27. For the purposes of this section the expression "express toll" means any toll, rate or charge to be charged by the company, or any person or corporation other than the company, to any persons, for hire or otherwise, for or in connection with the collecting, receiving, caring for or handling of any goods for the purpose of sending, carrying or transporting them by express,

or for or in connection with the sending, carrying, transporting or delivery by express of any goods, or for any service incidental thereto, or for or in connection with any or either of these objects, where the whole or any portion of the carriage or transportation of such goods is by rail upon the railway of the company.

Approval of tolls.

2. All express tolls shall be subject to the approval of the Board.

Tariffs of tolls.

3. Tariffs of such express tolls shall be filed with the Board and shall be in such form, size and style and give such information, particulars and details as the Board, from time to time, by regulation or by order in any particular case, prescribes.

Tolls not to be charged until filed and approved.

4. No express toll shall be charged in respect of which there is default in such filing or which is disallowed by the Board; provided, that any company, person or corporation now or immediately previous to the passing of this Act charging express tolls may, without such filing or approval, for a period of six months next after the passing of this Act, or for such further period as the Board allows, charge such express tolls as such company, person or corporation immediately previous to the passing of this Act might lawfully have charged.

Disallowance of tolls.

5. The Board may disallow any express tariff or any portion thereof which it considers unjust or unreasonable, and shall have and may exercise all the powers with respect to express tolls and such tariffs as it has or may exercise under the Railway Act, 1903, with respect to freight tolls and freight tariffs; and all the provisions of the said the Railway Act, 1903, applicable to freight tolls and freight tariffs, in so far as such provisions are applicable and not inconsistent with the provisions of this section, shall apply to express tolls and tariffs.

Goods not to be carried until tariff is filed, or after disallowance.

6. No company shall carry or transport any goods by express, unless and until the tariff of express tolls therefor or in connection therewith has been submitted to and filed with the Board in the manner hereinbefore provided, or in the case of competitive tariffs unless such tariffs are filed in accordance with the rules and regulations of the Board made in relation thereto, nor in any case where such express toll in any tariff has been disallowed by the Board, and every company which carries or transports, and every officer or employee thereof who directs or knowingly permits to be carried or transported, any goods by express contrary to the provisions of this subsection shall be liable to a penalty not exceeding one hundred dollars for each such violation.

Definition of carriage.

7. The Board may by regulation, or in any particular case, prescribe what is carriage or transportation of goods by express, or whether goods are carried or transported by express within the meaning of this section and of the Railway Act, 1903.

Annual return by company.

8. Every company and every person and corporation charging express tolls shall make to the Board an annual return of its capital, business and working expenditure, and such other information and particulars (including a statement of such unclaimed goods) as the Board directs.

Form, etc., of return.

9. Such return shall be made in such form, covering such period, and at such time, and shall be published in such manner, as the Board from time to time directs.

Conditions limiting liability to

10. No contract, condition, by-law, regulation, declaration or notice made or given by any company or any person or corpo-

be approved by Board.

ration charging express tolls impairing, restricting or limiting the liability of such company, person or corporation with respect to the collecting, receiving, caring for or handling of any goods for the purpose of sending, carrying or transporting them by express, or for or in connection with the sending, carrying, transporting or delivery by express of any goods, shall have any force or effect unless first approved of by order or regulation of the Board.

Regulation of carriage by express.

11. The Board may in any case or by regulation determine the extent to which the liability of such company, person or corporation may be so impaired, restricted or limited; and may by regulation prescribe the terms and conditions under which goods may be collected, received, cared for or handled for the purpose of sending, carrying or transporting them by express, or under which goods may be sent, carried, transported or delivered by express by any such company, person or corporation.

Traffic over connecting lines.

28. Where a branch line of one railway joins or connects the line or lines of such railway with another, the Board may, upon application of one of the companies, or of a municipal corporation or other public body, order that the railway company which constructed such branch line shall afford all reasonable and proper facilities for the interchange, by means of such branch, of freight and live stock traffic, and the empty cars incidental thereto, between the lines of the said railway and those of the railway with which the said branch is so joined or connected, in both directions, and also between the lines of the said first-mentioned railway and those of other railways connecting with the lines of the first-mentioned railway, and all tracks and sidings used by such first mentioned railway for the purpose of loading and unloading cars, and owned or controlled by, or connecting with the lines of, the company owning or controlling the first-mentioned railway, and such other tracks and sidings as the Board from time to time directs; and the Board may, in and by such order, or by other orders, from time to time determine as questions of facts and direct the price per car which shall be charged by and paid to the company owning or controlling the first-mentioned railway for such traffic.

2. This section shall apply whether or not the point of connection is within the same city, town or village as the point of shipment or delivery, or so near thereto that the tolls to and from such points are the same.

"Company" defined in sections following.

29. In this section and in the following sections of this Act, unless the context otherwise requires, the expression "company" means a company, within the meaning of the Railway Act, 1903, having authority to construct and operate or to operate a telephone system or line, and to charge telephone tolls, and includes also a telephone company and every company and person having legislative authority from the Parliament of Canada to construct and operate or to operate a telephone system or line, and to charge telephone tolls; and the expression "telephone toll" means and includes any toll, rate, or charge to be charged by the company to the public, or to any person, for the use of a telephone system or line, or any part thereof,

"Telephone toll" defined.

or for the transmission of a message by telephone, or for the installation and use of telephone instruments, lines, or apparatus, or for any service incidental to a telephone business.

Approval of telephone tolls.

30. Notwithstanding anything in any Act heretofore or hereafter passed by Parliament, all telephone tolls to be charged by the company shall be subject to the approval of the Board.

Tariff of tolls to be filed with Board.

2. The company shall file with the Board tariffs of the telephone tolls to be charged, and such tariffs shall be in such form, size and style and give such information, particulars and details as the Board, from time to time, by regulation, or in any particular case, prescribes, and the company shall not charge, and shall not be entitled to charge, any telephone toll in respect of which there is default in such filing, or which is disallowed by the Board; provided, that any company, now or immediately previous to the passing of this Act, charging telephone tolls may, without such filing and approval, for a period of four mounths after the passing of this Act, or for such further period as the Board allows, charge such telephone tolls as such company was immediately previous to the passing of this Act authorized by law to charge.

Proviso.

Tariffs, how to be dealt with.

3. Such telephone tariffs may be dealt with by the Board in the same manner as is provided by the Railway Act, 1903, with respect to standard freight tariffs; and all the provisions of the Railway Act, 1903, (except as to publication under section 274) applicable to the company with respect to standard freight tariffs and tolls chargeable thereunder shall, in so far as they are applicable and not inconsistent with this Act, apply to the Company with respect to such telephone tariffs and telephone tolls chargeable under such telephone tariffs.

Board may order telephone company to make connection with municipal telephone system.

31. Whenever any province, municipality, or corporation, having authority to construct and operate, or to operate, a telephone system or line and to charge telephone tolls, is desirous of using any long distance telephone service or long distance line owned, controlled, or operated by any company, upon which service or line the company is authorized to charge telephone tolls, in order to connect such telephone system, service or line with the telephone system, service or line operated or to be operated by such province, municipality, or corporation for the purpose of obtaining direct communication, whenever required, between any telephone or telephone exchange on the one telephone system, service or line and any telephone or telephone exchange on the other telephone system, service or line, and cannot agree with such company with respect to obtaining such connection or communication, or such use, such province, municipality or corporation may apply to the Board for relief, and the Board may order such company to provide for such connection or communication, or such use, upon such terms as to compensation as the Board deems just and expedient, and may order and direct how, when, where, by whom and upon what terms and conditions such connection or communication, or such use, shall be had, constructed, installed, operated and maintained.

Board shall consider standard of efficiency.

2. Upon any such application the Board shall, in addition to any other consideration affecting the case, take into con-

sideration the standards as to efficiency and otherwise of the apparatus and appliances of such telephone systems or lines, and shall only grant the leave applied for in case and in so far as, in view of such standards, the connection or communication or use applied for can, in the opinion of the Board, be made or exercised satisfactorily and without undue or unreasonable injury to or interference with the telephone business of such company.

Provisions of Railway Act with respect to joint tariffs to apply.

32. Where the telephone system or line operated by the company is connected or used in communication with the telephone system or line operated by another such company or by any province, municipality or corporation, whether the authority of such province, municipality or corporation to construct and operate or to operate such telephone system or line is derived from the Parliament of Canada or otherwise, and whether such connection or communication has been previously or is hereafter established either by agreement of the parties or under an order of the Board, the provisions of the Railway Act, 1903, with respect to joint tariffs, in so far as they are applicable and not inconsistent with this Act, shall apply to such company or companies and to such province, municipality or corporation.

Power of Board to enforce order.

2. The Board shall have, for the enforcement of its order in this respect, in addition to all other powers possessed by it therefor, the power to order a discontinuance of such connection or communication between such different telephone systems or lines.

Publicity of telephone tolls.

33. The Board may, by regulation or otherwise, determine and prescribe the manner and form in which any tariff or tariffs of telephone tolls shall be published or kept open for public inspection.

Agreements between telephone companies and municipalities to be approved by Board.

34. All contracts, agreements and arrangements between the company and any other such company, or any province, municipality or corporation having authority to construct and operate or to operate a telephone system or line, whether such authority is derived from the Parliament of Canada or otherwise for the regulation and interchange of telephone messages or service passing to and from their respective telephone systems and lines, or for the division or apportionment of telephone tolls, or generally in relation to the management working, or operation of their respective telephone systems or lines, or any of them, or any part thereof, or of any other systems or line operated in connection with them or either of them, shall be subject to the approval of the Board, and shall be submitted to and approved by the Board before such contract, agreement or arrangement shall have any force or effect.

"Municipality" defined.

35. In this section "municipality" means the municipal council or other authority having jurisdiction over the highways, squares or public places of a city, town or village, or of the highway, square or public place concerned.

Telephone lines in municipalities.

2. Notwithstanding anything contained in any Act of the Parliament of Canada or of the Legislature of any Province, no such company, heretofore or hereafter incorporated, which is not a

"company" within the meaning of the Railway Act, 1903, shall, except as hereinafter provided, construct, maintain or operate its lines of telephone upon, along, across or under any highway, square or other public place within the limits of any city, town or village without the consent of the municipality.

Refusal of consent by municipality: powers of Board.

3. If in any such case the company cannot obtain the consent of the municipality, or cannot obtain such consent otherwise than subject to conditions not acceptable to the company, the company may apply to the Board for leave to exercise its powers upon such highway, square or public place, and all the provisions of sub-section 2 of section 195 of the said Act shall apply to such application and to the proceedings thereon.

Long distance and trunk lines.

4. The foregoing subsections of this section shall not apply to the construction, maintenance and operation by the company of any long distance line or service or any trunk line or service connecting two or more exchanges in any city, town or village: Provided that the location of every such line, pole or conduit in a direct and practicable route shall be subject to the direction and supervision of the municipality, or of such officer as it may appoint, unless the municipality or such officer after one week's notice in writing shall have omitted to prescribe such location and make such direction.

Long distance defined.

5. A long distance line or service shall mean any trunk line or service connecting a central exchange or office in any city, town or village with a central exchange or office, or with central exchanges or offices, in another or other cities, towns or villages.

Settlement of disputes.

6. All matters in dispute relating to the location and installation of long distance lines or services or of such trunk lines or services as are mentioned in the next two preceding subsections shall be determined by the Board in the same manner and with the same powers as are provided by subsection 2 of section 195 of the said Act.

Changes in line.

7. Nothing in this section shall affect the right of any company to operate, maintain, renew or reconstruct underground or overhead systems or lines heretofore constructed, except that, upon application of the municipality, the Board may order any extension or change in the location of the line of the company in any city, town or village, or any portion of such line, or the removal of any poles and the carrying of the wires or cables carried thereon underground, or the construction of any new line, such extension, change in location, removal or construction to be ordered upon such terms as to compensation or otherwise, and to be effected within such time, as the Board directs.

No. 62.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Railway Act, 1903.

(Second] reprint: as amended in Committee of the Whole.)

MR. EMMERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 63.] **BILL.** [1906.

An Act to incorporate the National Fire Insurance Company of Canada.

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

1. Stapleton Caldecott, William E. Wellington, F. W. Gerald Fitzgerald, George D. Perry and Hugh Melvin, all of the city of Toronto, in the county of York, and Peter Larmonth, of the city of Ottawa, in the county of Carleton, together with such persons as become shareholders in the company, are incorporated under the name of "National Fire Insurance Company of Canada," hereinafter called "the Company." Incorporation. Corporate name.

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

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

2. 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 the calling of each subsequent instalment shall be given; provided that by mutual consent any shareholder make and the Company may receive at any times any payments in respect of any shares in excess of the calls made thereon; provided further, that the Company shall not commence the business of insurance until fifty 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; and that Payment of shares. When business may be commenced.

within one year thereafter at least twenty-five thousand dollars of additional capital shall be called up and paid in; 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.

Increase of capital.

3. The directors may, after the whole capital stock has been subscribed, and fifty per cent paid thereon in cash, increase the amount of the capital stock from time to time to an amount not exceeding one million dollars; but the stock shall not be increased until a by-law passed by the directors authorizing such increase has first been submitted to and confirmed by two-thirds in value of the shareholders present or represented by proxy at a general meeting of the shareholders duly called for the purpose of considering such by-law

Head office.

4. 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 a manner as the directors from time to time appoint.

Election of directors.

5. So soon as two hundred and fifty thousand dollars of the capital stock of the Company have been subscribed, and ten per cent of that amount paid in to some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders of the Company at some place to be named in the city of 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 five nor more than fifteen directors, of whom a majority shall form a quorum.

Qualification.

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

Annual meeting.

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

Business of Company.

7. The Company may carry on the business of fire insurance, and may cause itself to be insured against any risk it may have undertaken, and may insure any other person against any risk that such person may have undertaken.

Real property may be held.

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

R.S.C., c. 124.

9. This Act, and the Company hereby incorporated, and the exercise of the powers hereby conferred, shall be subject to the provisions of The Insurance Act.

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

No. 63.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to incorporate the National Fire Insurance Company of Canada.

First reading, March 29, 1906.

(PRIVATE BILL.)

MR. ZIMMERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 64.] **BILL.** [1906.

An Act respecting the Atlantic, Quebec and Western Railway Company.

WHEREAS the Atlantic, Quebec and Western Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Que., 1901, c. 63. Can. 1903, c. 81; 1904, c. 46; 1905, c. 59.

1. Subsection 2 of section 4 of chapter 81 of the statutes of 1903 is repealed, and the following is substituted therefor:— 1903, c. 81, s. 4 amended.

"2. The line described in paragraph (*b.*) of subsection 1 of this section shall be constructed to Port Daniel within five years, and both lines shall be completed within seven years, after the passing of this Act. In default of compliance with the provisions of this subsection, the powers of construction granted by this Act shall be void as to so much of the said lines as then remains uncompleted." Time for construction extended.

2. Chapter 59 of the statutes of 1905 is repealed. 1905, c. 59 repealed.

No. 64.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Atlantic, Quebec and Western Railway Company.

First reading, March 29, 1906.

(PRIVATE BILL.)

MR. GAUVREAU.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 65.] **BILL.** [1906.

An Act respecting the Richelieu and Ontario Navigation Company.

Preamble.

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

Additional bonding powers.

1. The Richelieu and Ontario Navigation Company, hereinafter called "the Company," having being first authorized by resolution passed at any annual meeting or at a special general meeting of the shareholders duly called for that purpose, may from time to time issue bonds or debentures for the construction or acquisition of any vessels or other properties or works of any kind which the Company is authorized to acquire or operate; provided such bonds and debentures shall not exceed in amount seventy-five per cent of the actual paid up stock of the Company.

Proviso.

Mortgages to secure bonds.

2. For the purpose of securing each issue of bonds or debentures the Company may execute a mortgage or mortgages not contrary to law or inconsistent with the provisions of the Company's charter, in such form and containing such provisions and stipulations as are approved by the resolution mentioned in in the next preceding section.

Provisions of mortgages.

3. Each of such mortages shall be made to a trustee or trustees to be appointed for that purpose at the said meeting, and may contain provisions determining the amount secured upon the vessels or class of vessels or upon any other properties or works to which it relates, the rank and priority of the bonds or debentures intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders of such bonds or debentures, the mode of assuring the application of the proceeds of such bonds or debentures to the purposes for which they they are to be issued, the rate of interest thereon, the place and time of payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds and debentures, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms of the mortgage and for the protection of the holders of such bonds or debentures.

Schedule confirmed.

4. The schedule to this Act is hereby ratified and confirmed.

SCHEDULE.

Extract from minutes of special general meeting of shareholdere of the Richelieu and Ontario Navigation Company, held at the general offices of the Company, 228 St. Paul St., Montreal, P.Q., February 19th, 1906, at 12.30 P.M.

It was moved by Mr. Barlow Cumberland, seconded by Mr. A. Haig Sims, "That the directors be and are hereby authorized to issue bonds (whenever by Act of Parliament the Company is given power so to do) to the extent thus allowed, on such terms and conditions as they may deem advisable. A reserve portion, however, equal in amount to the balance outstanding of the previous issue to be held in escrow for the redemption of said previous issue." Carried unanimously.

F. PERCY SMITH,
Secretary.

No. 65.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Richelieu and Ontario Navigation Company.

First reading, March 29, 1906.

(PRIVATE BILL.)

MR. BUREAU.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 66.] **BILL.** [1906.

An Act to amend the Indian Act.

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

R.S.C., c. 43, s. 94 amended.

1888, c. 22, s. 4.

Proviso in case of a half-breed.

When accused has acted in good faith.

1. Section 94 of the Indian Act, chapter 43 of the Revised Statutes, as enacted by section 4 of chapter 22 of the statutes 1888, is amended by adding at the end thereof the following words: "Provided, however, that if it be established at any trial had under this section, that the Indian or non-treaty Indian is a half-breed, and that the party incriminated or accused has taken every precaution to prevent a violation of the law as contained in this section, and that the accused has acted in good faith, without any knowledge that the party to whom he supplied an intoxicant was an Indian within the terms of section 2 of this Act, the judge, magistrate or justices of the peace or Indian agent shall not find the accused guilty of a violation of this section."

No. 66.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Indian Act.

First reading, March 29, 1906.

MR. MONK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 69.] **BILL.** [1906.

An Act respecting certain patents of Henry Edmunds.

Preamble.

WHEREAS Henry Edmunds and the Canadian Passo Cement Company, Limited, have by their petition represented that the said Edmunds is the owner of, and the said company is the licensee under, three patents issued under the seal of the Patent Office, and dated the twenty-sixth day of January, one thousand nine hundred and four, and numbered eighty-five thousand one hundred and nineteen, eighty-five thousand one hundred and twenty and eighty-five thousand one hundred and twenty-two, the first mentioned patent being for new and useful improvements in apparatus for producing cement, and the last two mentioned patents being for new and useful improvements in cement manufactured from blast furnace slag and in the process of making the same; and whereas the Commissioner of Patents on the ninth day of November, one thousand nine hundred and five, granted an extension of the time within which to manufacture under all of the said patents until the twenty-sixth day of July, one thousand nine hundred and six; and whereas the said Edmunds and the said company have prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commissioner of Patents may issue license to manufacture.

1. Notwithstanding anything in the Patent Act, as amended by chapter 46 of the statutes of 1903, or in the patents mentioned in the preamble of this Act, the Commissioner of Patents may, within three months after the passing of this Act, receive a petition for the making of, and, if in his discretion he thinks proper, may make, an order that the said patents, instead of being subject to the conditions set forth in section 4 of the said chapter 46, shall be subject to the conditions set forth in paragraphs (*a*), (*b*), (*c*) and (*d*) of section 7 of the said chapter 46; and the failure to construct or manufacture in Canada under the said patents up to the date of the passing of this Act or within three months thereafter shall be deemed not to have affected the validity of the said patents.

R.S.C., c. 61, 1903, c. 46.

No. 69.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting certain patents of Henry Edmunds.

First reading, March 30, 1906.

(PRIVATE BILL.)

MR. CAMPBELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 70.] **BILL.** [1906.

An Act respecting the British Canadian Loan and Investment Company, Limited.

Preamble. 1876, c. 57; 1877, c. 76; 1887, c. 110.

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

Power to wind up Company's business.

1. The directors of the British Canadian Loan and Investment Company, Limited, hereinafter called "the Company," may collect, get in, dispose of and realize all the assets of the Company, and may wind up the business of the Company.

Notice to creditors.

2. The directors shall give notice in one newspaper published in the city of Toronto, notifying those having any claims against the Company to send them in to the manager of the Company before a date to be named in the notice, and not later than three months after the first publication of such notice, and the said notice shall be published for six consecutive weeks in the said newspaper, and the directors shall not be required to recognize any claim sent in after the date in the said notice: Provided that the foregoing provision of this section shall not apply to persons who appear by the books and records of the Company to be creditors thereof, and to have claims against the Company.

Application of assets.

3. From the moneys received as aforesaid, the directors shall pay all the debts of the Company then due, and shall set apart a sum sufficient for the payment of any other debts of the Company that may thereafter from time to time become due.

Distribution to shareholders of moneys remaining.

4. After the debts of the Company have been paid and provided for as aforesaid, all other moneys in the hands of the directors, or which may hereafter be collected and got in, as aforesaid, shall from time to time be distributed ratably among the shareholders of the Company according to the amounts duly paid up on the then outstanding and existing shares of the capital stock held by them respectively.

Unclaimed moneys.

5. If any shareholder, including any one under legal or other disability, whose name appears on the register of shareholders, omits to claim his share of the assets within three calendar months after a notice to him to claim his share, stating the amount thereof, and where such claim can be made, has been

mailed in a letter prepaid and registered to the last known address of such shareholder as shown in the books of the Company, the Company shall pay the amount to which such shareholder is entitled, with all interest accrued thereon, to the Minister of Finance and Receiver General, and thereupon such shareholder, his executors, administrators or assigns, shall thereafter cease to have any claim against the Company in respect thereof; and if afterwards duly claimed, such amount and interest (if any) shall be paid over by the Minister of Finance and Receiver General to the person entitled thereto.

No. 70.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the British Canadian Loan and Investment Company, Limited.

First reading, March 30, 1906.

(PRIVATE BILL.)

Mr. McCarthy.
(North Simcoe.)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 71.] **BILL.** [1906.

An Act to incorporate the Calgary and Fernie Railway Company.

Preamble.

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

Incorporation.

1. William Roderick Ross, John Stephen Traverse Alexander and Iven Reid Poole, of the city of Fernie, David McEwan Eberts, of the city of Victoria, and George Arthur Fraser of the city of Grand Forks, all in British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Calgary and Fernie Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

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

Head office.

4. The head office of the Company shall be in the city of Fernie, in the province of British Columbia.

Annual meeting.

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

Directors.

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

Line of railway described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point at or near the city of Calgary, in the province of Alberta, thence in a southwesterly direction by the most feasible route through Kananaskis Pass to the head waters of the Elk River, in the province of British Columbia, thence following the valley of the Elk River to the city of Fernie, in the province of British Columbia.

Issue of securities.

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

Agreements with other companies.

9. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Calgary and Edmonton Railway Company and the Crow's Nest Southern Railway Company.

No. 71.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Calgary and Fernie Railway Company.

First reading, March 30, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 72] **BILL.** [1906.

An Act to incorporate the Quebec, Montreal and Southern Railway Company.

WHEREAS the franchises, railway and property of the Quebec Southern Railway, as comprising the railways heretofore known as the South Shore Railway, the United Counties Railway and the East Richelieu Valley Railway, have been sold pursuant to the provisions of chapter 158 of the statutes of 1905, and have been purchased by the Honourable Frederic L. Béique, of the city of Montreal; and whereas the said purchaser bought and became vested with the said franchises, railway and property for the purposes 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 purposes; and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1905, c. 158.

1. David Wilcox, of the city of New York, and Abel I. Culver, of the city of Albany, both in the United States, the Honourable Rodolphe Lemieux, of the city of Ottawa, the Honourable Frederic L. Béique and George F. Hartt, 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 Quebec, Montreal and Southern 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 (original) capital stock of the Company shall be two million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

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

5. The annual meeting of the shareholders shall be held on the first Wednesday in June. Annual meeting.

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

Power to acquire and operate railway.

7. The Company may acquire the railway mentioned in the preamble, and upon and after such acquisition the franchises rights and privileges heretofore possessed by the South Shore Railway Company and the Quebec Southern Railway Company shall vest in and may be exercised and enjoyed by the Company, and the Company may thereupon hold, maintain and operate the said railway.

Power to complete railway.

Limitation of time for completion.

8. The Company may complete the railway which by the statutes relating to the South Shore Railway Company the latter was authorized to construct, or any portion thereof, and may extend its railway from Noyan Junction to the international boundary line, within five years from the date of the passing of this Act: provided that as to so much thereof as is not completed within that period, the power to complete the said railway shall cease and determine.

Powers to acquire vessels.

9. The Company, for the purposes of its undertaking, may acquire, maintain and operate such steam and other vessels as the directors deem requisite for ferries across the rivers St. Lawrence and Richelieu, or for the purposes of the Company.

Issue of securities.

10. The securities issued by the Company shall not exceed twenty thousand dollars per mile of single track of the railway, but ten thousand dollars additional per mile may be issued for double track, and five thousand dollars per mile for equipment, but not otherwise; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreements with other companies.

11. Subject to the provisions of sections 281 to 283, both inclusive, of The Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Delaware and Hudson Company, the Rutland and Noyan Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canada Atlantic Railway Company, the Vermont and Province Line Railway Company, the New York Central and Hudson River Railroad Company, the St. Lawrence and Adirondack Railway Company, the Napierville Junction Railway Company, the Montreal Bridge and Terminal Company, the Montreal-Longueuil Bridge Company, the Quebec Central Railway Company, the Lotbinière and Megantic Railway Company, the Quebec Bridge and Railway Company, the Great Northern Railway Company, the Quebec and Lake St. John Railway Company, the Quebec Railway, Light and Power Company, the Grand Trunk Pacific Railway Company, and the St. Maurice Valley Railway Company, and into agreements for such purposes with the Government of Canada, with respect to The Intercolonial Railway and the National Transcontinental Railway.

Declaratory.

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

No. 72.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Quebec, Montreal and Southern Railway Company.

First reading, March 30, 1906.

(PRIVATE BILL.)

MR. DEMERS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 73.] **BILL.** [1906.

An Act respecting the Boundary, Kamloops and Cariboo Central Railway Company.

WHEREAS the Boundary, Kamloops and Cariboo Central Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1904, c. 49.

1. Section 7 of chapter 49 of the statutes of 1904 is amended by adding thereto, as subsection 2, the following:— Section 7 amended.

"2. The Company may lay out, construct and operate a railway from a point at or near the city of Grand Forks, in the province of British Columbia, thence in a northerly direction following the valley of the north fork of the Kettle River, and by the most feasible route to Franklin Camp and Fire Valley, thence in a northwesterly direction by the most feasible route to Grand Prairie." Line of railway authorized.

2. Notwithstanding anything in the Railway Act, 1903, the Boundary, Kamloops and Cariboo Central Railway Company may commence the construction of its railways and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may finish the said railways and put them in operation within five years of the passing of this Act; and if the said railways are not so commenced and such expenditure is not so made, or if the said railways are not finished and put in operation, within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted. Time for construction of railways extended.

No. 73.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Boundary, Kamloops and Cariboo Central Railway Company.

First reading, April 2, 1906.

(PRIVATE BILL.)

MR. ROSS,
(Yale-Cariboo.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 74.] **BILL.** [1906.

An Act respecting the Harbour of North Sydney in Nova Scotia.

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

1882, c. 50, s. 4 repealed.

1. Section 4 of chapter 50 of the statutes of 1882 is repealed.

Harbour Commissioners may borrow on mortgage.

2. The Harbour Commissioners of North Sydney may, from time to time, borrow upon mortgage such sums of money as are required for the purchase of real or other property, or for the improvement of the harbour of North Sydney, or for such other works as the said commissioners are authorized to undertake; and for such purpose the said commissioners may mortgage the real property, works, tolls or revenues of the said harbour: Provided that no money shall be so borrowed without the sanction of the Governor in Council, and provided also that the total indebtedness for moneys borrowed under the provisions of this section shall not at any one time exceed the sum of six thousand dollars.

Proviso.

No. 74.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Harbour of North Sydney in Nova Scotia.

First reading, April 2, 1906.

Mr. Brodeur.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 75.] **BILL.** [1906.

An Act to incorporate the Grand Trunk Pacific Branch Lines Company.

Preamble.

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

Incorporation.

1. Charles M. Hays, Frank W. Morse, William Wainwright, W. H. Biggar and D'Arcy Tate, all of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of "The Grand Trunk Pacific Branch Lines Company," hereinafter called "the Company."

Corporate name.

Head office.

2. The head office of the Company shall be in the city of Montreal, or in such other place in Canada as the Company determines by by-law.

Provisional directors.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company, and should any such provisional director die or resign before the first election of directors the vacancy may be filled by the remaining provisional directors.

Capital stock.

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

Preference stock.

5. The Company may, under the authority of a resolution passed by the ordinary shareholders at any annual meeting or at a special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed stock of the Company are present or represented by proxy, issue any portion of its capital stock, not exceeding twenty million dollars, 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.

Rights of preference stockholders.

2. Holders of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act; provided, however, that in respect of dividends and otherwise they shall, as against the ordinary

shareholders, be entitled to the preference and rights given by such resolution.

First general meeting.

6. So soon as one million dollars of the capital stock has been subscribed and twenty per cent thereon has been paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at the place where the head office is situate, at such time as they think proper, giving the notice prescribed by section 61 of the Railway Act, 1903, at which meeting the shareholders who have paid at least ten per cent on the amount of stock subscribed for by them shall elect from the persons qualified not less than nine nor more than fifteen directors.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the third Wednesday in September.

Election of directors.

8. At each annual meeting the shareholders assembled who have paid all calls due on their shares shall choose not less than five nor more than nine persons, as may be from time to time provided by by-law of the Company, to be directors of the Company, one or more of whom may be paid officers of the Company. No person other than a shareholder entitled to vote may vote or act as a proxy at any meeting of the Company.

Executive committee of directors.

9. The directors may annually appoint from among themselves an executive committee composed of at least three directors, for such purposes and with such duties as the directors by by-law determine; and the president shall be ex-officio a member of such committee.

Issue of paid up stock.

10. The directors of the Company may make and issue as paid-up stock, shares of the common stock of the Company, whether subscribed for or not, and may allot and hand over in payment for lands, plant, rolling stock, docks, elevators, wharfs, warehouses, vessels, or materials of any kind, or as consideration for rights, powers, guarantees and privileges acquired or services rendered other than promotion services, and also for the bona fide claims of contractors and engineers, such an amount of such common stock as is a fair and bona fide value for the property purchased, or for the rights, powers, guarantees and privileges acquired, or services rendered, as aforesaid, due regard being had to the then market value of the stock; and such issue and allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls.

Lines of railway described.

11. The Company may lay out, construct and operate the following lines of railway, each of the gauge of four feet eight and one-half inches:—

1. From Moncton to Halifax or such other port on the Atlantic coast as may be considered by the Company more accessible and better adapted for the purposes of the Company;

2. From a point on the Transcontinental Division of the Grand Trunk Pacific Railway to St. John or such other port on the Bay of Fundy as may be considered by the Company more accessible and better adapted for the purposes of the Company;

3. From Montreal to a junction with the Transcontinental Division of the Grand Trunk Pacific Railway;

4. From Ottawa to a junction with the Transcontinental Division of the Grand Trunk Pacific Railway;

5. From North Bay or Nipissing junctionto a junction with the Transcontinental Division of the Grand Trunk Pacific Railway;

6. From a point on the Transcontinental Division of the Grand Trunk Pacific Railway north-east of Fort William, to a junction with the Grand Trunk Railway north of Toronto, with the right to pass through or reach by spur line Sault Ste. Marie or Sudbury, or both;

7. From and around Winnipeg, through the surrounding districts, and to the boundaries of Manitoba, subject to the approval of the Governor in Council;

8. From Brandon to a junction with the Grand Trunk Pacific Railway;

9. From Brandon to the boundary line between Canada and the United States;

10. From Brandon to Calgary;

11. From Yorkton to a junction with the Grand Trunk Pacific Railway;

12. From Regina to a junction with the Grand Trunk Pacific Railway;

13. From Regina to the boundary line between Canada and the United States;

14. From Prince Albert to a junction with the Grand Trunk Pacific Railway;

15. From Battleford to a junction with the Grand Trunk Pacific Railway;

16. From Calgary, or in the vicinity thereof, to a junction with the Grand Trunk Pacific Railway at its fourth terminal, or in the vicinity thereof;

17. From Calgary, or in the vicinity thereof, to a junction with the Grand Trunk Pacific Railway at its fifth terminal, or in the vicinity thereof;

18. From Calgary to the boundary line between Canada and the United States;

19. From Vancouver to a junction with the Grand Trunk Pacific Railway, or to a junction with the Pacific, Northern and Omenica Railway, or both;

20. From a point on the north shore of Vancouver Island in a general southerly or south-easterly direction along the western side of the Island to Victoria;

21. From Dawson to a junction with the Grand Trunk Pacific Railway;

22. From the northern terminals of any of the said branch lines extending northerly from the Grand Trunk Pacific Railway to the shores of Hudson Bay;

23. Such other lines of railway as the Company may from time to time deem expedient for operation in conjunction with the Grand Trunk Pacific Railway system, subject to the approval of the Governor in Council; and the Company may for the purpose of constructing the said lines of railway, divide them into nine sections, to be known as:—

(*a*) New Brunswick and Nova Scotia extensions, to comprise the lines numbered 1 and 2;

(*b*) The Quebec extensions, to comprise the lines numbered 3 and 4;

(*c*) The Ontario extensions, to comprise the lines numbered 5 and 6;

(*d*) The Manitoba extensions, to comprise the lines numbered 7, 8 and 9;

(*e*) The Manitoba, Saskatchewan and Alberta extensions, to comprise the lines numbered 10, 11, 12, 13, 14, 15, 16, 17 and 18;

(*f*) The British Columbia extension, to comprise number 19;

(*g*) The Vancouver Island extension, to comprise number 20;

(*h*) The Dawson extension, to comprise number 21;

(*i*) The Hudson Bay extension, to comprise number 22.

Bond issue

12. The Company may issue bonds, debentures or other securities in respect of the said hereinbefore mentioned lines of railway as follows:—Number one to the extent of thirty-five thousand dollars per mile; number two to the extent of thirty-one thousand dollars per mile; numbers three and four to the extent of forty thousand dollars per mile; number five to the extent of thirty thousand dollars per mile; number six to the extent of thirty-five thousand dollars per mile; number seven to the extent of thirty thousand dollars per mile; number eight to the extent of twenty-five thousand dollars per mile; numbers nine to eighteen inclusive to the extent of twenty thousand dollars per mile; number nineteen to the extent of thirty-five thousand dollars per mile; number twenty to the extent of thirty thousand dollars per mile; number twenty-one to the extent of twenty-one thousand dollars per mile; number twenty-two to the extent of twenty thousand dollars per mile; such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed, or under contract to be constructed, or separately in respect of each of the said lines of railway, or each of the said sections, or of certain lines or sections combined, or in respect of all the said lines taken together; and the Company may issue such bonds, debentures or other such securities in one or more separate series, and limit the security for any series to such of the franchises, property, assets, rents and revenues of the Company, present or future, or both, as are described in the mortgage made to a trustee or trustees to secure such separate series of bonds, debentures, or other securities; and every such limited series of such bonds, debentures, or other securities, if so issued, shall, subject to the provisions contained in section 112 of the Railway Act, 1903, form a first charge upon, and be limited to the particular portion, section or sections of the railway, and to the franchises, property, assets, rents and revenues of the Company with respect to which they are issued and which shall be described in the mortgage made to secure the same; and all the provisions of sections 111 to 115, both inclusive, of the Railway Act, 1903, not inconsistent with this Act, shall apply to the bonds, debentures or other securities so to be issued.

13. The Company may, for the purposes of its business, build, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels for the carriage of passengers, mails and cargo, on any lakes, rivers or other navigable waters within the limits of Canada, or between ports in Canada and ports beyond Canada, as is found expedient; and may enter into agreements with owners of such vessels for any of such purposes; and may purchase grain and other freight for cargo, and sell or otherwise dispose thereof, and of such vessels; and may generally carry on the business of ship-owners and carriers by water in connection with its undertaking, and may take and hold, either in the name of the Company, or in the name of some person as trustee for the Company, and dispose of, shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company.

Vessels.

Freight.

Shares in other companies.

14. The Company may, in the operation of its steamship business—

Power to make charges in steamship business.

(*a*) charge on all property placed with it, or in its custody, such fair remuneration as may be fixed by the directors, for storage, warehousing, wharfage, dockage, cooperage, or any other care or labour in or about such property on the part of the Company over and above the regular freight and primage upon any such property carried, or contracted to be, or intended to be, carried by it;

(*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.

(*c*) on non-payment of freight advances and other charges 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 cost and expenses incurred in and about such sale, and shall return 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 thereof 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 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.

Sale of property on non-payment of charges.

15. The Company may purchase, lease, take or otherwise acquire, hold, enjoy and manage, as well in Canada as in such other places as are deemed expedient for the purposes of the Company, and either in the name of the Company or in the name of a trustee or trustees for the Company, such lands,

Power to hold lands, wharves, warehouses, buildings, etc.

water lots, wharfs, docks, dock yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any of such works or buildings and sell or otherwise dispose thereof for the purposes of the Company; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property; and may take and hold, either in the name of the Company, or in the name of some person as trustee for the Company, and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company, and may enter into any agreements with any such company respecting the use of any of the property of such company.

Wharfage.

Shares in other companies.

Expropriation of land for wharves.

2. If the Company cannot agree with the owner or occupier of any lands which it may take for the purposes aforesaid, with respect to the compensation to be paid for such lands, it may cause a map or plan thereof and book of reference to be made, and all the provisions of section 139 of the Railway Act, 1903, shall apply to the subject matter of this subsection and to the obtaining of such lands and determining the compensation payable therefor.

Proceedings where parties cannot agree.

Power to own hotels and restaurants.

16. The Company may, for the purposes of its lines of railway and steamships and in connection with its business and undertakings—

(*a*) build, purchase, lease or otherwise acquire, manage or control, at such points or places along any of its lines of railway or branches, or at any ports or places of call of any of its steamships such buildings as it deems advisable for hotels and restaurants; and may purchase, lease and hold the land necessary for such purposes; and may carry on business in connection therewith, and afford such facilities as may tend to the comfort and convenience of the travelling public; and may let any such building for such purposes; and may acquire, hold and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company, and enter into agreements with any such company respecting any of such building, lands, facilities, or business;

Parks.

(*b*) purchase, lease and hold lands required for, and lay out, establish and manage parks and pleasure grounds, and give a lease thereof to, or contract with, any person for the use thereof upon such terms as the Company deems expedient.

Telegraph and telephone lines along railways.

17. The Company may construct, maintain, control and operate telegraph and telephone lines upon and along any of its lines of railway and branches; and may establish offices for and undertake the transmission of messages for the public by any of its lines, and collect tolls therefor; and for any of the said purposes may enter into agreements with the Grand Trunk Pacific Telegraph Company, or with any other company, or may lease the Company's lines or any portion thereof, and may connect its lines with the lines of any companies having authority to operate telegraph or telephone lines, and may enter into arrangements with any such companies for the exchange and

transmission of messages or for the working in whole or in part of the lines of the Company.

Lines to connect with other telegraph and telephone lines.

2. The Company may also construct, maintain and operate any other lines of telegraph and telephone, not exceeding one hundred miles in length in any one case, from any point on the lines constructed or to be constructed along the line of the Grand Trunk Pacific Railway or any of the lines of the Grand Trunk Pacific Branch Lines Company, to connect such lines with any other lines of telegraph or telephone in Canada; and may also construct, maintain and operate telegraph and telephone lines between Vancouver Island and the mainland, and for this purpose may lay submarine lines of telegraph or telephone between such points.

Submarine lines.

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

R.S.C., c. 132.

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

Powers.

18. The Company may,

Development of lands, water powers, etc.

(*a*) acquire, utilize and develop such lands, water powers, rights, easements and privileges in the vicinity of any of its lines of railway or branches, and construct, maintain and operate such dams, reservoirs, buildings and works as are deemed advisable for the generation, transmission and distribution of electricity for light, heat, power or any other purpose in connection with its railways, vessels and other properties and works, and for the purpose of supplying water for the use of its railways, vessels and other properties and works; and may supply, sell, or otherwise dispose of any surplus water, electricity, electric or other power so developed or generated and not required for the purposes of the Company; and may take, hold and dispose of shares in, and enter into agreements with any company incorporated for any of the purposes aforesaid;

Construction of dams and buildings for electricity.

Shares in other companies.

Shares in mining companies.

(*b*) take, hold and dispose of shares in any incorporated company authorized to acquire, develop, work and dispose of mines, minerals, mining rights, timber and timber lands, in the vicinity of any of its lines of railway or branches, or to crush, smelt, reduce, amalgamate or otherwise treat and dispose of the ores and products of any such mines, or to engage in general mining and lumbering operations upon such lands, or in the manufacture and sale of the products thereof.

Bond issue on property other than railway.

19. The Company, having been first authorized by a resolution passed at any annual meeting, or at a special general meeting of the shareholders duly called for that purpose, may from time to time issue bonds, debentures or other securities for the purchase of lands, the erection and equipment of hotels, the construction or acquisition of any vessels, or other properties, or works of any kind, other than the railways, which the Company is authorized to acquire or operate, but such bonds, debentures or other securities shall not exceed in amount the value of such vessels, properties and works.

Amount limited.

Mortgages to secure bonds.

20. For the purpose of securing each issue of such bonds, debentures or other securities the Company may execute a mortgage or mortgages, not contrary to law or inconsistent with the provisions of this Act, in such form, and containing such provisions and stipulations, as are approved of by the resolution mentioned in the next preceding section.

Provisions in mortgages.

2. Each of such mortgages shall be made to a trustee or trustees to be appointed for that purpose at the said meeting, and may contain provisions determining the amount secured upon the hotels, vessels or class of vessels or upon any other properties or works to which it relates, authorized under this Act (other than the railway), the rank and priority of the bonds, debentures or other securities intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders thereof, the mode of assuring the application of the proceeds of such bonds, debentures or other securities to the purposes for which they are to be issued, the rate of interest thereon, the place and time of payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds, debentures or other securities, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms of the mortgage and for the protection of the holders of such bonds, debentures or other securities.

Power to bind tolls and revenues of property other than railway.

3. The Company may charge and bind the tolls and revenues of the vessels or class of vessels, hotels, or properties or works other than the railway to which any such mortgage relates, and the whole or any part of any subsidy to be earned in connection therewith, in the manner and to the extent therein specified; and each such mortgage shall create absolutely a first lien and incumbrance upon the vessels or class of vessels, hotels, or properties or works, other than the railway, therein described, as well as on the tolls, revenues and subsidies therein hypothecated, the whole being for the benefit of the holders of the bonds, debentures or other securities in respectof which such mortgage is made.

Ranking of bond holders.

4. Each issue of bonds, debentures, or other securities intended to be secured by any of the mortgages referred to in this section, shall entitle the holders of any of the bonds belonging to each such issue to rank *pari passu* with all other holders of bonds of the same issue, and a duplicate of each such mortgage shall shall be filed in the office of the Secretary of State of Canada.

Bonds and debentures.

21. Any bonds, debentures or other securities authorized by this Act may be issued in whole or in part in the denomination of dollars or of pounds sterling, and may be made payable, both as to principal and interest, in Canada, the United States or Europe; and the whole or any of such bonds, debentures or other securities may be pledged, negotiated or sold upon such conditions and at such price as the directors from time to time deem advantageous and in the interest of the Company.

Denomination of issue.

Negotiability.

Patent rights.

22. The Company may, for the purposes of its business, acquire by lease, purchase or otherwise, and use and dispose of, any rights in letters patent, franchises and patent rights.

23. The Company may grant or lease to any person the right to erect on lands belonging to the Company, warehouses, elevators, hotels, mills, manufacturing establishments or other buildings or works for the purpose of giving greater facilities to the public in doing business with the Company; and the buildings or works so erected shall not be bound by, or be subject to, any mortgage or lien on the property of the Company without the written consent of the owner of such buildings or works.

Power to grant right to erect buildings, etc. on Company's land.

24. The Company may construct, acquire and operate ropeways for the transportation of ores and other freight, and also tramways not exceeding ten miles in length in any one case, to or from any point on its lines of railway or any branch thereof in the province of British Columbia, and shall have all such powers for the expropriation of land requisite for the convenient construction and operation of such works as are given by the Railway Act, 1903, to railway companies for railway purposes; but the powers conferred upon the Company by this section shall not be exercised until a plan showing the route of the ropeways or tramways proposed to be constructed has been duly filed with the Department of Railways and Canals, and approved by the Board of Railway Commissioners for Canada; and no such tramway or other way shall be constructed upon or along any street, highway or other public place within the limits of any municipality until the Company has first obtained the consent of such municipality, within which such street, highway or other public place is situate.

Tramways for transport of ore and freight.

Expropriation powers.

Approval of plans.

Consent of municipalities.

2. Before such approval is given, notice of the application therefor shall be published in *The Canada Gazette* for at least one month previous to the time named in the notice for the making of such application, and such notice shall state that all persons interested may appear and be heard on such application.

Notice of application for approval.

25. The Company may, for the purpose of promoting the settlement and cultivation of any lands served by any of its said lines of railway or branches thereof, enter into agreements with actual or intending settlers, and for this purpose may aid such settlers by making advances, which may be secured upon such lands, or otherwise, and may construct and operate, or aid in, or subscribe towards the construction, maintenance and improvement of roads, viaducts, aqueducts, ditches, flumes, saw and grist mills, and other similar works.

Aid to settlers.

26. The Company may enter into a lease of or acquire running powers over or the right to work the line of, or enter into working arrangements with, any other railway company in Canada, which has been or is hereafter empowered by the Parliament of Canada to make or grant the same to or with the Company, or may acquire by purchase the whole or any part of the railway and appurtenances of any other company so empowered to sell the same to the Company; and any agreement, lease or conveyance made or entered into in pursuance of this enactment may be for such periods, for such price, and upon such terms and conditions, as are from time to time agreed upon by the boards of directors of the respective companies, and shall be

Leases and running powers over other railways.

as valid and effectual as if it had been set out and specially authorized and confirmed by this Act; provided, however, that every such transaction shall be subject to the approval of two-thirds of the votes of the shareholders of the Company present or represented by proxy at an annual meeting or at a special general meeting duly called for that purpose, and thereafter the Company may acquire, hold and guarantee shares, bonds or other securities of such other companies.

Approval of shareholders.

Power to make lease or sell to G. T. P. Co.

27. The Company may make a lease of, or grant running powers over, or the right to work, any of its lines of railway to, or may enter into working arrangements with, the Grand Trunk Pacific Railway Company, or may sell all or any of its lines of railway and appurtenances, or the whole or any part of its undertaking or its capital stock, bonds or other securities to the Grand Trunk Pacific Railway Company, in pursuance of the provisions of section 28 of chapter 122 of the statutes of 1903, being intituled an Act to incorporate the Grand Trunk Pacific Railway Company.

Agreement with another company.

28. The Company may enter into an agreement with any other company in Canada empowered for conveying or leasing to such company the lines of railway of the Company or any of them, 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, real and personal, or any part thereof, or for an amalgamation with such company, upon such terms and conditions and subject to such restrictions as are agreed upon between the directors of the companies parties to such agreement; provided that such agreement shall not take effect until it has first been approved of by two-thirds of the votes of the shareholders present or represented by proxy at any annual meeting or 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 281 of the Railway Act, 1903, and also for a like period in one newspaper in the principal city or town in each province through which any of the lines of railway of the Company runs.

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 of 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 section having been complied with.

Power to acquire stock in other companies.

29. The Company may, in addition to the powers hereinbefore contained, acquire, hold, guarantee, pledge and dispose of stock, bonds or other securities of any company upon such terms as are specified in a by-law passed by the directors for that purpose and sanctioned by a vote of not less than two-thirds in

value of the shareholders present or represented by proxy and voting at any annual meeting or at a special general meeting of the Company duly called for the purpose of considering the said by-law, and such by-law shall also be subject to the approval of the Governor in Council.

Bridges may be arranged for general purposes.

30. The Company may, if deemed expedient, so construct or arrange any bridge required for its lines of railway, or any of them, as to make it suitable for the passage of horses, vehicles and foot passengers and for general traffic purposes, and may construct and maintain all necessary approaches thereto and works in connection therewith, and shall in such case have a right to charge such tolls for use thereof as are approved of by the Governor in Council, and such tolls shall be subject to revision from time to time by the Governor in Council; and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridges.

Tolls.

Time for construction.

2. The provisions of section 117 of the Railway Act, 1903, shall not apply to any bridge constructed for such purposes.

Agreement for joint working of bridge.

3. The Company may unite with, or enter into any agreement with any other company, corporation or person, for the construction or maintenance of any such bridge and the approaches thereto, as a joint work or for the joint working, control, management and use thereof.

Sale of property not required by Company.

31. The Company may, for the benefit and on account of the Company, sell and convey any lands or other property not required for the purposes of the Company, and, with the consent or approval of the trustee or trustees holders of any mortgage forming a charge on the said lands or property, apply the proceedings arising from such sale as the Company deems expedient and any lands or other property so sold shall on payment in full to the Company of the purchase money therefor and on the delivery of a conveyance thereof duly executed by the Company, be vested in the purchaser thereof freed and discharged from all mortgages and charges of any nature by this Act or by the Company created.

Time for construction of railway limited.

32. If the construction of some of the lines of railway is not commenced within two years after the passing of this Act, or if the lines of railway hereby authorized to be constructed are not finished and put into operation on or before the first day of December, one thousand nine hundred and sixteen, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted.

Declaratory.

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

No. 75.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Grand Trunk Pacific Branch Lines Company.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. CRAWFORD.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 75.] **BILL.** [1906.

An Act to incorporate the Grand Trunk Pacific Branch Lines Company.

[*Reprinted as proposed to be amended in the Railway Committee.*]

Preamble.

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

Incorporation.

1. Charles M. Hays, Frank W. Morse, William Wainwright, W. H. Biggar and D'Arcy Tate, all of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of "The Grand Trunk Pacific Branch Lines Company," hereinafter called "the Company."

Corporate name.

Head office.

2. The head office of the Company shall be in the city of Montreal, or in such other place in Canada as the Company determines by by-law.

Provisional directors.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company, and should any such provisional director die or resign before the first election of directors the vacancy may be filled by the remaining provisional directors.

Capital stock.

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

Preference stock.

5. The Company may, under the authority of a resolution passed by the ordinary shareholders at any annual meeting or at a special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed stock of the Company are present or represented by proxy, issue any portion of its capital stock, not exceeding twenty million dollars, 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.

Rights of preference stockholders.

2. Holders of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act; provided, however, that in respect of

dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preference and rights given by such resolution.

First general meeting.

6. So soon as one million dollars of the capital stock has been subscribed and twenty per cent thereon has been paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at the place where the head office is situate, at such time as they think proper, giving the notice prescribed by section 61 of the Railway Act, 1903, at which meeting the shareholders who have paid at least ten per cent on the amount of stock subscribed for by them shall elect from the persons qualified not less than nine nor more than fifteen directors.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the third Wednesday in September.

Election of directors.

8. At each annual meeting the shareholders assembled who have paid all calls due on their shares shall choose not less than five nor more than nine persons, as may be from time to time provided by by-law of the Company, to be directors of the Company, one or more of whom may be paid officers of the Company. No person other than a shareholder entitled to vote may vote or act as a proxy at any meeting of the Company.

Executive committee of directors.

9. The directors may annually appoint from among themselves an executive committee composed of at least three directors, for such purposes and with such duties as the directors by by-law determine; and the president shall be ex-officio a member of such committee.

Issue of paid up stock.

10. The directors of the Company may make and issue as paid-up stock, shares of the common stock of the Company, whether subscribed for or not, and may allot and hand over in payment for lands, plant, rolling stock, docks, elevators, wharfs, warehouses, vessels, or materials of any kind, or as consideration for rights, powers, guarantees and privileges acquired or services rendered other than promotion services, and also for the bona fide claims of contractors and engineers, such an amount of such common stock as is a fair and bona fide value for the property purchased, or for the rights, powers, guarantees and privileges acquired, or services rendered, as aforesaid, due regard being had to the then market value of the stock; and such issue and allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls.

Lines of railway described.

11. The Company may lay out, construct and operate the following lines of railway, each of the gauge of four feet eight and one-half inches:—

1. From Montreal to a junction with the Transcontinental Division of the Grand Trunk Pacific Railway;

2. From Ottawa to a junction with the Transcontinental Division of the Grand Trunk Pacific Railway;

3. From North Bay or Nipissing junction to a junction with the Transcontinental Division of the Grand Trunk Pacific Railway;

4. A belt line through and around the city of Winnipeg to connect existing railway systems and a line south from Winnipeg to the boundary of the province within a distance of twenty-five miles east or west of the Red River;

5. From Neepawa to a junction with the Grand Trunk Pacific Railway;

6. From Brandon to a junction with the Grand Trunk Pacific Railway, in the vicinity of township 12, range 16;

7. From Brandon to the boundary line between Canada and the United States, in the neighbourhood of Turtle Mountain;

8. From Brandon to Calgary;

9. From Yorkton to a junction with the Grand Trunk Pacific Railway;

10. From Regina to a junction with the Grand Trunk Pacific Railway;

11. From Regina to the boundary line between Canada and the United States, at or near North Portal;

12. From Prince Albert to a junction with the Grand Trunk Pacific Railway;

13. From Battleford to a junction with the Grand Trunk Pacific Railway;

14. From Calgary, or in the vicinity thereof, to a junction with the Grand Trunk Pacific Railway at its fourth or fifth terminal, or in the vicinity thereof;

15. From Calgary to the boundary line between Canada and the United States, in the vicinity of Coutts;

16. From Vancouver to a junction with the Grand Trunk Pacific Railway, or to a junction with the Pacific, Northern and Omenica Railway, or both, north of Fort George;

17. From a point on the north shore of Vancouver Island in a general southerly or south-easterly direction along the western side of the Island to Victoria;

18. From Dawson to a junction with the Grand Trunk Pacific Railway;

19. From a point on the Grand Trunk Pacific Railway at or near Yorkton to the shores of Hudson Bay, in the vicinity of Port Churchill;

and the Company may for the purpose of constructing the said lines of railway divide them into six sections, to be known as,—

(*a*) The Quebec extensions, to comprise the lines numbered 1 and 2;

(*b*) The Ontario extension, to comprise the line numbered 3;

(*c*) The Manitoba, Saskatchewan and Alberta extensions, to comprise the lines numbered 4 to 15 inclusive;

(*d*) The British Columbia extensions, to comprise the lines numbered 16 and 17;

(*e*) The Dawson extension, to comprise the line numbered 18;

(*f*) The Hudson Bay extension, to comprise the line numbered 19.

Bond issue

12. The Company may issue bonds, debentures or other securities in respect of the said hereinbefore mentioned lines of railway as follows:—Numbers one, two, three and nineteen, to the extent of forty thousand dollars per mile; numbers four to fifteen, inclusive, to the extent of thirty thousand dollars per

mile; numbers sixteen, seventeen and eighteen, to the extent of fifty thousand dollars per mile; such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed, or under contract to be constructed, or separately in respect of each of the said lines of railway, or each of the said sections, of or certain lines or sections combined, or in respect of all the said lines taken together; and the Company may issue such bonds, debentures or other such securities in one or more separate series, and limit the security for any series to such of the franchises, property, assets, rents and revenues of the Company, present or future, or both, as are described in the mortgage made to a trustee or trustees to secure such separate series of bonds, debentures, or other securities; and every such limited series of such bonds, debentures, or other securities, if so issued, shall, subject to the provisions contained in section 112 of the Railway Act, 1903, form a first charge upon, and be limited to the particular portion, section or sections of the railway, and to the franchises, property, assets, rents and revenues of the Company, present or future, or both, as are described in the mortgage made to a trustee or trustees to secure such separate series of bonds, debentures, or other securities; and every such limited series of such bonds, debentures, or other securities, if so issued, shall, subject to the provisions contained in section 112 of the Railway Act, 1903, form a first charge upon, and be limited to the particular portion, section or sections of the railway, and to the franchises, property, assets, rents and revenues of the Company with respect to which they are issued and which shall be described in the mortgage made to secure the same; and all the provisions of sections 111 to 115, both inclusive, of the Railway Act, 1903, not inconsistent with this Act, shall apply to the bonds, debentures or other securities so to be issued.

Vessels.

13. The Company may, for the purposes of its business, build, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels for the carriage of passengers, mails and cargo, on any lakes, rivers or other navigable waters within the limits of Canada, or between ports in Canada and ports beyond Canada, as is found expedient; and may enter into agreements with owners of such vessels for any of such purposes; and may purchase grain and other freight for cargo, and sell or otherwise dispose thereof, and of such vessels; and may generally carry on the business of ship-owners and carriers by water in connection with its undertaking, and may take and hold, either in the name of the Company, or in the name of some person as trustee for the Company, and dispose of, shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company.

Freight

Shares in other companies.

Power to make charges in steamship business.

14. The Company may, in the operation of its steamship business—

(*a*) charge on all property placed with it, or in its custody, such fair remuneration as may be fixed by the directors, for storage, warehousing, wharfage, dockage, cooperage, or any other care or labour in or about such property on the part of

the Company over and above the regular freight and primage upon any such property carried, or contracted to be, or intended to be, carried by it;

(*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.

(*c*) on non-payment of freight advances and other charges 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 cost and expenses incurred in and about such sale, and shall return 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 thereof 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 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. Sale of property on non-payment of charges.

15. The Company may purchase, lease, take or otherwise acquire, hold, enjoy and manage, as well in Canada as in such other places as are deemed expedient for the purposes of the Company, and either in the name of the Company or in the name of a trustee or trustees for the Company, such lands, water lots, wharfs, docks, dock yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any of such works or buildings and sell or otherwise dispose thereof for the purposes of the Company; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property; and may take and hold, either in the name of the Company, or in the name of some person as trustee for the Company, and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company, and may enter into any agreements with any such company respecting the use of any of the property of such company. Power to hold lands, wharves, warehouses, buildings, etc. Wharfage. Shares in other companies.

2. If the Company cannot agree with the owner or occupier of any lands which it may take for the purposes aforesaid, with respect to the compensation to be paid for such lands, it may cause a map or plan thereof and book of reference to be made, and all the provisions of section 139 of the Railway Act, 1903, shall apply to the subject matter of this subsection and to the obtaining of such lands and determining the compensation payable therefor. Expropriation of land for wharves. Proceedings where parties cannot agree.

16. The Company may, for the purposes of its lines of railway and steamships and in connection with its business and undertakings,— Power to own hotels and restaurants.

(*a*) build, purchase, lease or otherwise acquire, manage or control, at such points or places along any of its lines of railway or branches, or at any ports or places of call of any of its steamships such buildings as it deems advisable for hotels and restaurants; and may purchase, lease and hold the land necessary for such purposes; and may carry on business in connection therewith, and afford such facilities as may tend to the comfort and convenience of the travelling public; and may let any such building for such purposes; and may acquire, hold and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company, and enter into agreements with any such company respecting any of such building, lands, facilities, or business;

Parks.

(*b*) purchase, lease and hold lands required for, and lay out, establish and manage parks and pleasure grounds, and give a lease thereof to, or contract with, any person for the use thereof upon such terms as the Company deems expedient.

Telegraph and telephone lines along railways.

17. The Company may construct, maintain, control and operate telegraph and telephone lines upon and along any of its lines of railway and branches; and may establish offices for and undertake the transmission of messages for the public by any of its lines, and collect tolls therefor; and for any of the said purposes may enter into agreements with the Grand Trunk Pacific Telegraph Company, or with any other company, or may lease the Company's lines or any portion thereof, and may connect its lines with the lines of any companies having authority to operate telegraph or telephone lines, and may enter into arrangements with any such companies for the exchange and transmission of messages or for the working in whole or in part of the lines of the Company.

Lines to connect with other telegraph and telephone lines.

2. The Company may also construct, maintain and operate any other lines of telegraph and telephone, not exceeding one hundred miles in length in any one case, from any point on the lines constructed or to be constructed along the line of the Grand Trunk Pacific Railway or any of the lines of the Grand Trunk Pacific Branch Lines Company, to connect such lines with any other lines of telegraph or telephone in Canada; and may also construct, maintain and operate telegraph and telephone lines between Vancouver Island and the mainland, and for this purpose may lay submarine lines of telegraph or telephone between such points.

Submarine lines.

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Governor in Council, and such rates and charges shall be subject to revision, from time to time, by the Governor in Council.

R.S.C., c. 132.

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

Powers.

18. The Company may—

Development of lands, water powers, etc.

(*a*) acquire, utilize and develop such lands, water powers, rights, easements and privileges in the vicinity of any of its

lines of railway or branches, and construct, maintain and operate such dams, reservoirs, buildings and works as are deemed advisable for the generation, transmission and distribution of electricity for light, heat, power or any other purpose in connection with its railways, vessels and other properties and works, and for the purpose of supplying water for the use of its railways, vessels and other properties and works; and may supply, sell, or otherwise dispose of any surplus water, electricity, electric or other power so developed or generated and not required for the purposes of the Company; and may take, hold and dispose of shares in, and enter into agreements with any company incorporated for any of the purposes aforesaid;

Construction of dams and buildings for electricity.

Shares in other companies.

(*b*) take, hold and dispose of shares in any incorporated company authorized to acquire, develop, work and dispose of mines, minerals, mining rights, timber and timber lands, in the vicinity of any of its lines of railway or branches, or to crush, smelt, reduce, amalgamate or otherwise treat and dispose of the ores and products of any such mines, or to engage in general mining and lumbering operations upon such lands, or in the manufacture and sale of the products thereof.

Shares in mining companies.

19. The Company, having been first authorized by a resolution passed at any annual meeting, or at a special general meeting of the shareholders duly called for that purpose, may from time to time issue bonds, debentures or other securities for the purchase of lands, the erection and equipment of hotels, the construction or acquisition of any vessels, or other properties, or works of any kind, other than the railways, which the Company is authorized to acquire or operate, but such bonds, debentures or other securities shall not exceed in amount the value of such vessels, properties and works.

Bond issue on property other than railway.

Amount limited.

20. For the purpose of securing each issue of such bonds, debentures or other securities the Company may execute a mortgage or mortgages, not contrary to law or inconsistent with the provisions of this Act, in such form, and containing such provisions and stipulations, as are approved of by the resolution mentioned in the next preceding section.

Mortgages to secure bonds.

2. Each of such mortgages shall be made to a trustee or trustees to be appointed for that purpose at the said meeting, and may contain provisions determining the amount secured upon the hotels, vessels or class of vessels or upon any other properties or works to which it relates, authorized under this Act (other than the railway), the rank and priority of the bonds, debentures or other securities intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders thereof, the mode of assuring the application of the proceeds of such bonds, debentures or other securities to the purposes for which they are to be issued, the rate of interest thereon, the place and time of payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds, debentures or other securities, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms of the mortgage and for the protection of the holders of such bonds, debentures or other securities.

Provisions in mortgages.

3. The Company may charge and bind the tolls and revenues of the vessels or class of vessels, hotels, or properties or works

Power to bind tolls and revenues

of property other than railway.

other than the railway to which any such mortgage relates, and the whole or any part of any subsidy to be earned in connection therewith, in the manner and to the extent therein specified; and each such mortgage shall create absolutely a first lien and incumbrance upon the vessels or class of vessels, hotels, or properties or works, other than the railway, therein described, as well as on the tolls, revenues and subsidies therein hypothecated, the whole being for the benefit of the holders of the bonds, debentures or other securities in respectof which such mortgage is made.

Ranking of bond holders.

4. Each issue of bonds, debentures, or other securities intended to be secured by any of the mortgages referred to in this section, shall entitle the holders of any of the bonds belonging to each such issue to rank *pari passu* with all other holders of bonds of the same issue, and a duplicate of each such mortgage shall shall be filed in the office of the Secretary of State of Canada.

Bonds and debentures.

21. Any bonds, debentures or other securities authorized by this Act may be issued in whole or in part in the denomination of dollars or of pounds sterling, and may be made payable, both as to principal and interest, in Canada, the United States or Europe; and the whole or any of such bonds, debentures or other securities may be pledged, negotiated or sold upon such conditions and at such price as the directors from time to time deem advantageous and in the interest of the Company.

Denomination of issue.

Negotiability.

Patent rights.

22. The Company may, for the purposes of its business, acquire by lease, purchase or otherwise, and use and dispose of, any rights in letters patent, franchises and patent rights.

Power to grant right to erect buildings, etc. on Company's land.

23. The Company may grant or lease to any person the right to erect on lands belonging to the Company, warehouses, elevators, hotels, mills, manufacturing establishments or other buildings or works for the purpose of giving greater facilities to the public in doing business with the Company; and the buildings or works so erected shall not be bound by, or be subject to, any mortgage or lien on the property of the Company without the written consent of the owner of such buildings or works.

Tramways for transport of ore and freight.

24. The Company may construct, acquire and operate ropeways for the transportation of ores and other freight, and also tramways not exceeding ten miles in length in any one case, to or from any point on its lines of railway or any branch thereof in the province of British Columbia, and shall have all such powers for the expropriation of land requisite for the convenient construction and operation of such works as are given by the Railway Act, 1903, to railway companies for railway purposes; but the powers conferred upon the Company by this section shall not be exercised until a plan showing the route of the ropeways or tramways proposed to be constructed has been duly filed with the Department of Railways and Canals, and approved by the Board of Railway Commissioners for Canada; and no such tramway or other way shall be constructed upon or along any street, highway or other public place within the limits of any municipality until the Company has first obtained the consent

Expropriation powers.

Approval of plans.

Consent of municipalities.

of such municipality, within which such street, highway or other public place is situate.

2. Before such approval is given, notice of the application therefor shall be published in *The Canada Gazette* for at least one month previous to the time named in the notice for the making of such application, and such notice shall state that all persons interested may appear and be heard on such application.

Notice of application for approval.

25. The Company may, for the purpose of promoting the settlement and cultivation of any lands served by any of its said lines of railway or branches thereof, enter into agreements with actual or intending settlers, and for this purpose may aid such settlers by making advances, which may be secured upon such lands, or otherwise, and may construct and operate, or aid in, or subscribe towards the construction, maintenance and improvement of roads, viaducts, aqueducts, ditches, flumes, saw and grist mills, and other similar works.

Aid to settlers.

26. The Company may enter into a lease of or acquire running powers over or the right to work the line of, or enter into working arrangements with, any other railway company in Canada, which has been or is hereafter empowered by the Parliament of Canada to make or grant the same to or with the Company, or may acquire by purchase the whole or any part of the railway and appurtenances of any other company so empowered to sell the same to the Company; and any agreement, lease or conveyance made or entered into in pursuance of this enactment may be for such periods, for such price, and upon such terms and conditions, as are from time to time agreed upon by the boards of directors of the respective companies, and shall be as valid and effectual as if it had been set out and specially authorized and confirmed by this Act; provided, however, that every such transaction shall be subject to the approval of two-thirds of the votes of the shareholders of the Company present or represented by proxy at an annual meeting or at a special general meeting duly called for that purpose, and thereafter the Company may acquire, hold and guarantee shares, bonds or other securities of such other companies.

Leases and running powers over other railways.

Approval of shareholders.

27. The Company may make a lease of, or grant running powers over, or the right to work, any of its lines of railway to, or may enter into working arrangements with, the Grand Trunk Pacific Railway Company, or may sell all or any of its lines of railway and appurtenances, or the whole or any part of its undertaking or its capital stock, bonds or other securities to the Grand Trunk Pacific Railway Company, in pursuance of the provisions of section 28 of chapter 122 of the statutes of 1903, being intituled an Act to incorporate the Grand Trunk Pacific Railway Company.

Power to make lease or sell to G. T. P. Co.

28. The Company may enter into an agreement with any other company in Canada empowered for conveying or leasing to such company the lines of railway of the Company or any of them, 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, real and personal, or any part

Agreement with another company.

thereof, or for an amalgamation with such company, upon such terms and conditions and subject to such restrictions as are agreed upon between the directors of the companies parties to such agreement; provided that such agreement shall not take effect until it has first been approved of by two-thirds of the votes of the shareholders present or represented by proxy at any annual meeting or 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 281 of the Railway Act, 1903, and also for a like period in one newspaper in the principal city or town in each province through which any of the lines of railway of the Company runs.

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 of 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 section having been complied with.

Power to acquire stock in other companies.

29. The Company may, in addition to the powers hereinbefore contained, acquire, hold, guarantee, pledge and dispose of stock, bonds or other securities of any company upon such terms as are specified in a by-law passed by the directors for that purpose and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy and voting at any annual meeting or at a special general meeting of the Company duly called for the purpose of considering the said by-law, and such by-law shall also be subject to the approval of the Governor in Council.

Bridges may be arranged for general purposes.

30. The Company may, if deemed expedient, so construct or arrange any bridge required for its lines of railway, or any of them, as to make it suitable for the passage of horses, vehicles and foot passengers and for general traffic purposes, and may construct and maintain all necessary approaches thereto and works in connection therewith, and shall in such case have a right to charge such tolls for use thereof as are approved of by the Governor in Council, and such tolls shall be subject to revision from time to time by the Governor in Council; and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridges.

Tolls.

Time for construction.

2. The provisions of section 117 of the Railway Act, 1903, shall not apply to any bridge constructed for such purposes.

Agreement for joint working of bridge.

3. The Company may unite with, or enter into any agreement with any other company, corporation or person, for the construction or maintenance of any such bridge and the approaches thereto, as a joint work or for the joint working, control, management and use thereof.

Sale of property not required by Company.

31. The Company may, for the benefit and on account of the Company, sell and convey any lands or other property not required for the purposes of the Company, and, with the consent or approval of the trustee or trustees holders of any mortgage forming a charge on the said lands or property, apply the proceedings arising from such sale as the Company deems expedient and any lands or other property so sold shall on payment in full to the Company of the purchase money therefor and on the delivery of a conveyance thereof duly executed by the Company, be vested in the purchaser thereof freed and discharged from all mortgages and charges of any nature by this Act or by the Company created.

Application of 1903, c. 71.

32. The provisions of paragraphs 39, 42, 43 and 44 of the agreement which forms the schedule to chapter 71 of the statutes of 1903, and so much of paragraph 45 of the said agreement as provides that traffic shall not be diverted to ports outside of Canada, shall apply to the Company in the same manner and to the same extent as if the lines of railway hereby authorized had been constructed by the Grand Trunk Pacific Railway Company.

Grand Trunk Pacific may guarantee securities.

33. The Grand Trunk Pacific Railway Company may, subject to the approval of the Governor in Council, guarantee the bonds, debentures or other securities issued by the Company upon such terms as are specified in a by-law for that purpose passed by the directors of the Grand Trunk Pacific Railway Company, and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy and voting at any general meeting or at a special general meeting of the said company duly called for the purpose of considering such by-law.

Time for construction of railway limited.

34. If the construction of some of the lines of railway is not commenced within two years after the passing of this Act, or if the lines of railway hereby authorized to be constructed are not finished and put into operation on or before the first day of December, one thousand nine hundred and sixteen, the powers conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted.

Declaratory.

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

No. 75.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to incorporate the Grand Trunk Pacific Branch Lines Company.

Reprinted as proposed to be amended in the Railway Committee.]

(PRIVATE BILL.)

MR. CRAWFORD.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 75.] **BILL.** [1906.

An Act to incorporate the Grand Trunk Pacific Branch Lines Company.

[*Reprinted as amended and reported by the Railway Committee.*]

Preamble.

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

Incorporation.

1. Charles M. Hays, Frank W. Morse, William Wainwright, W. H. Biggar and D'Arcy Tate, all of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of "The Grand Trunk Pacific Branch Lines Company," hereinafter called "the Company."

Corporate name.

Head office.

2. The head office of the Company shall be in the city of Montreal, or in such other place in Canada as the Company determines by by-law.

Provisional directors.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company, and should any such provisional director die or resign before the first election of directors the vacancy may be filled by the remaining provisional directors.

Capital stock.

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

Preference stock.

5. The Company may, under the authority of a resolution passed by the ordinary shareholders at any annual meeting or at a special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed stock of the Company are present or represented by proxy, issue any portion of its capital stock, not exceeding twenty million dollars, 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.

Rights of preference stockholders.

2. Holders of such preference stock shall be shareholders within the meaning of this Act, and shall in all respects possess the rights and be subject to the liabilities of shareholders within the meaning of this Act; provided, however, that in respect of

dividends and otherwise they shall, as against the ordinary shareholders, be entitled to the preference and rights given by such resolution.

First general meeting.

6. So soon as one million dollars of the capital stock has been subscribed and twenty per cent thereon has been paid into some chartered bank in Canada, the provisional directors shall call a meeting of the shareholders of the Company at the place where the head office is situate, at such time as they think proper, giving the notice prescribed by section 61 of the Railway Act, 1903, at which meeting the shareholders who have paid at least twenty per cent on the amount of stock subscribed for by them shall elect from the persons qualified not less than five nor more than nine directors.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the third Wednesday in September.

Election of directors.

8. At each annual meeting the shareholders assembled who have paid all calls due on their shares shall choose not less than five nor more than nine persons, as may be from time to time provided by by-law of the Company, to be directors of the Company, one or more of whom may be paid officers of the Company. No person other than a shareholder entitled to vote may vote or act as a proxy at any meeting of the Company.

Executive committee of directors.

9. The directors may annually appoint from among themselves an executive committee composed of at least three directors, for such purposes and with such duties as the directors by by-law determine; and the president shall be ex-officio a member of such committee.

Issue of paid up stock.

10. The directors of the Company elected by the shareholders may make and issue as paid-up stock, shares of the common stock of the Company, whether subscribed for or not, and may allot and hand over in payment for lands, plant, rolling stock, docks, elevators, wharfs, warehouses, vessels, or materials of any kind, or as consideration for rights, powers, guarantees and privileges acquired or services rendered other than promotion services, and also for the bona fide claims of contractors and engineers, such an amount of such common stock as is a fair and bona fide value for the property purchased, or for the rights, powers, guarantees and privileges acquired, or services rendered, as aforesaid, due regard being had to the then market value of the stock; and such issue and allotment of stock shall be binding upon the Company and such stock shall not be assessable for calls.

Lines of railway described.

11. The Company may lay out, construct and operate the following lines of railway, each of the gauge of four feet eight and one-half inches:—

1. From a point on the Eastern Division of the National Transcontinental Railway at or near Edmundston, in the province of New Brunswick to Rivière du Loup, in the county of Temiscouata, in the province of Quebec;

2. From Montreal, passing through the town of Joliette and the valley of l'Assomption River or the valley of la Rivière Noire

in the county of Joliette, to a junction with the National Transcontinental Railway at or near to a place named Waymantachi, in the province of Quebec;

3. From a point on the Eastern Division of the National Transcontinental Railway between the 76th and 78th degrees of west longitude to Ottawa;

4. From a point on the Eastern Division of the National Transcontinental Railway between the 83rd and 85th degrees of west longitude to Orillia;

5. A belt line around the city of Winnipeg to connect with other railway systems and passing, if deemed advisable, through outlying portions of the city;

6. From Winnipeg to a point on the southern boundary of the province of Manitoba within a distance of twenty-five miles east or west of the Red River;

7. From Neepawa to a junction with the Grand Trunk Pacific Railway by the shortest practicable route;

8. From a point on the Western Division of the Grand Trunk Pacific Railway in the vicinity of township 12, ranges 16 or 17 west of the 1st meridian, to Brandon, and thence to Regina; and also a line from Brandon to a point on the southern boundary of the province of Manitoba in the vicinity of Turtle Mountain;

9. From a point on the Western Division of the Grand Trunk Pacific Railway in the vicinity of township 22, range 6, west of the 2nd meridian, to Yorkton, and thence to the shores of Hudson Bay in the vicinity of Fort Churchill;

10. From a point on the Western Division of the Grand Trunk Pacific Railway in the vicinity of township 22, range 7, west of the 2nd meridian, to Regina, and thence to a point on the southern boundary of the province of Saskatchewan at or near North Portal;

11. From a point on the Western Division of the Grand Trunk Pacific Railway between the 105th and 107th degrees of longitude to Prince Albert;

12. From a point on the Western Division of the Grand Trunk Pacific Railway between the 108th and 109th degrees of longitude to Battleford;

13. From a point on the Western Division of the Grand Trunk Pacific Railway between the 111th and 113th degrees of longitude to Calgary, and thence to the southern boundary of the province of Alberta at or near Coutts;

14. From Vancouver to a junction with the Grand Trunk Pacific Railway, or to a junction with the Pacific, Northern and Omineca Railway, or both, between the 122nd and 124th degrees of longitude;

15. From a point on the north shore of Vancouver Island in a general southerly or south-easterly direction along the western portion of the Island to Victoria;

16. From a point on the Western Division of the Grand Trunk Pacific Railway between the 127th and 129th degrees of longitude to Dawson;

and the Company may for the purpose of constructing the said lines of railway divide them into six sections, to be known as,—

(*a*) The Quebec extensions, to comprise the lines numbered 1, 2 and 3;

(*b*) The Ontario extension, to comprise the line numbered 4;

(*c*) The Manitoba, Saskatchewan and Alberta extensions, to comprise the lines numbered 5, 6, 7, 8, 10, 11, 12 and 13 inclusive;

(*d*) The British Columbia extensions, to comprise the lines numbered 14 and 15;

(*e*) The Dawson extension, to comprise the line numbered 16;

(*f*) The Hudson Bay extension, to comprise the line numbered 9.

Bond issue

12. The Company may issue bonds, debentures or other securities in respect of the said hereinbefore mentioned lines of railway as follows:—Numbers one to four, inclusive, and number nine, to the extent of forty thousand dollars per mile; numbers five to eight, inclusive, and numbers ten to thirteen, inclusive, to the extent of thirty thousand dollars per mile; numbers fourteen, fifteen and sixteen, to the extent of fifty thousand dollars per mile; such bonds, debentures or other securities may be issued only in proportion to the length of railway constructed, or under contract to be constructed, or separately in respect of each of the said lines of railway, or each of the said sections, or of certain lines or sections combined, or in respect of all the said lines taken together; and the Company may issue such bonds, debentures or other such securities in one or more separate series, and limit the security for any series to such of the franchises, property, assets, rents and revenues of the Company, present or future, or both, as are described in the mortgage made to secure such separate series of bonds, debentures, or other securities.

Vessels.

13. The Company may, for the purposes of its undertaking, build, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels for the carriage of passengers, mails and cargo, on any lakes, rivers or other navigable waters within the limits of Canada, or between ports in Canada and ports beyond Canada, as is found expedient; and may enter into agreements with owners of such vessels for any of such purposes; and may purchase grain and other freight for cargo, and sell or otherwise dispose thereof, and of such vessels; and may generally carry on the business of ship-owners and carriers by water in connection with its undertaking, and may take and hold, either in the name of the Company, or in the name of some person as trustee for the Company, and dispose of, shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company.

Freight.

Shares in other companies.

Power to make charges in steamship business.

14. The Company may, in the operation of its steamship business—

(*a*) charge on all property placed with it, or in its custody, such fair remuneration as may be fixed by the directors, for storage, warehousing, wharfage, dockage, cooperage, or any other care or labour in or about such property on the part of the Company over and above the regular freight and primage upon any such property carried, or contracted to be, or intended to be, carried by it;

Recovery of charges.

(*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;

Sale of property on non-payment of charges.

(*c*) on non-payment of freight advances and other charges 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 cost and expenses incurred in and about such sale, and shall return 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 thereof 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 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.

Power to hold lands, wharfs, warehouses, buildings, etc.

15. The Company may, for the purposes of its undertaking, purchase, lease, take or otherwise acquire, hold, enjoy and manage, as well in Canada as in such other places as are deemed expedient for the purposes of the Company, and either in the name of the Company or in the name of a trustee or trustees for the Company, such lands, water lots, wharfs, docks, dock yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any of such works or buildings and sell or otherwise dispose thereof for the purposes of the Company; and may carry on the business of warehousemen and wharfingers, and charge wharfage and other dues for the use of any such property; and may take and hold, either in the name of the Company, or in the name of some person as trustee for the Company, and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company, and may enter into any agreements with any such company respecting the use of any of the property of such company.

Wharfage.

Shares in other companies.

Expropriation of land for wharfs.

2. If the Company cannot agree with the owner or occupier of any lands which it may take for the purposes aforesaid, with respect to the compensation to be paid for such lands, it may cause a map or plan thereof and book of reference to be made, and all the provisions of section 139 of the Railway Act, 1903, shall apply to the subject matter of this subsection and to the obtaining of such lands and determining the compensation payable therefor.

Proceedings where parties cannot agree.

Power to own hotels and restaurants.

16. The Company may, for the purposes of its lines of railway and steamships and in connection with its business and undertakings,—

(*a*) build, purchase, lease or otherwise acquire, manage or control, at such points or places along any of its lines of railway or branches, or at any ports or places of call of any of its steamships such buildings as it deems advisable for hotels and restaurants; and may purchase, lease and hold the land necessary

for such purposes; and may carry on business in connection therewith, and afford such facilities as may tend to the comfort and convenience of the travelling public; and may let any such building for such purposes; and may acquire, hold and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers by this section conferred upon the Company, and enter into agreements with any such company respecting any of such building, lands, facilities, or business;

Parks.

(*b*) purchase, lease and hold lands required for, and lay out, establish and manage parks and pleasure grounds, and give a lease thereof to, or contract with, any person for the use thereof upon such terms as the Company deems expedient.

Telegraph and telephone lines along railways.

17. The Company may construct, maintain and operate telegraph and telephone lines upon and along any of its lines of railway; and may establish offices for and undertake the transmission of messages for the public by any of its lines, and collect tolls therefor; and for any of the said purposes may, subject to the provisions of the Railway Act, 1903, enter into agreements with any companies having authority to construct or operate telegraph or telephone lines, for the exchange and transmission of messages or for the working in whole or in part of the lines of the Company.

Lines to connect with other telegraph and telephone lines.

2. The Company may also construct, maintain and operate any other lines of telegraph and telephone, not exceeding one hundred miles in length in any one case, from any point on the lines constructed or to be constructed along the line of the Grand Trunk Pacific Railway or any of the lines of the Grand Trunk Pacific Branch Lines Company, to connect such lines with any other lines of telegraph or telephone in Canada; and may also construct, maintain and operate telegraph and telephone lines between Vancouver Island and the mainland, and for this purpose may lay submarine lines of telegraph or telephone between such points.

Submarine lines.

Rates to be approved.

3. No rates or charges shall be demanded or taken from any person for the transmission of any message by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such rates or charges have been approved of by the Board of Railway Commissioners for Canada, and such rates and charges shall be subject to revision, from time to time, by the said Board.

R.S.C., c. 132.

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

Powers.

18. The Company may, for the purposes of its undertaking,—

Development of lands, water powers, etc.

(*a*) acquire, utilize and develop such lands, water powers, rights, easements and privileges in the vicinity of any of its lines of railway or branches, and construct, maintain and operate such dams, reservoirs, buildings and works as are deemed advisable for the generation, transmission and distribution of electricity for light, heat, power or any other purpose in connection with its railways, vessels and other properties and works, and for the purpose of supplying water for the use of its railways, vessels and other properties and works; and may supply, sell, or otherwise dispose of any surplus water, electricity, electric

Construction of dams and buildings for electricity.

Shares in other companies.

or other power so developed or generated and not required for the purposes of the Company; and may take, hold and dispose of shares in, and enter into agreements with any company incorporated for any of the purposes aforesaid;

(*b*) take, hold and dispose of shares in any incorporated company authorized to acquire, develop, work and dispose of mines, minerals, mining rights, timber and timber lands, in the vicinity of any of its lines of railway or branches, or crush, smelt, reduce, amalgamate or otherwise treat and dispose of the ores and products of any such mines, or engage in general mining and lumbering operations upon such lands, or in the manufacture and sale of the products thereof. Shares in mining companies.

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

20. The Company, having been first authorized by a resolution passed at any annual meeting, or at a special general meeting of the shareholders duly called for that purpose, may from time to time issue bonds, debentures or other securities for the purchase of lands, the erection and equipment of hotels, the construction or acquisition of any vessels, or other properties, or works of any kind, other than the railways, which the Company is authorized to acquire or operate, but such bonds, debentures or other securities shall not exceed in amount the value of such vessels, properties and works. Bond issue on property other than railway. Amount limited.

21. For the purpose of securing each issue of such bonds, debentures or other securities the Company may execute a mortgage or mortgages, not contrary to law or inconsistent with the provisions of this Act, in such form, and containing such provisions and stipulations, as are approved of by the resolution mentioned in the next preceding section. Mortgages to secure bonds.

2. Each of such mortgages shall be made to a trustee or trustees to be appointed for that purpose at the said meeting, and may contain provisions determining the amount secured upon the hotels, vessels or class of vessels or upon any other properties or works to which it relates, authorized under this Act (other than the railway), the rank and priority of the bonds, debentures or other securities intended to be secured thereby, the rights and remedies to be enjoyed by the respective holders thereof, the mode of assuring the application of the proceeds of such bonds, debentures or other securities to the purposes for which they are to be issued, the rate of interest thereon, the place and time of payment of the principal and interest, the creation of a sinking fund for the redemption of the said bonds, debentures or other securities, and all the conditions, provisions and restrictions requisite for the effectual carrying out of the terms of the mortgage and for the protection of the holders of such bonds, debentures or other securities. Provisions in mortgages.

Power to bind tolls and revenues of property other than railway.

3. The Company may charge and bind the tolls and revenues of the vessels or class of vessels, hotels, or properties or works other than the railway to which any such mortgage relates, and the whole or any part of any subsidy to be earned in connection therewith, in the manner and to the extent therein specified; and each such mortgage shall create absolutely a first lien and incumbrance upon the vessels or class of vessels, hotels, or properties or works, other than the railway, therein described, as well as on the tolls, revenues and subsidies therein hypothecated, the whole being for the benefit of the holders of the bonds, debentures or other securities in respect of which such mortgage is made.

Ranking of bond holders.

4. Each issue of bonds, debentures, or other securities intended to be secured by any of the mortgages referred to in this section, shall entitle the holders of any of the bonds belonging to each such issue to rank *pari passu* with all other holders of bonds of the same issue, and a duplicate of each such mortgage shall be filed in the office of the Secretary of State of Canada.

Bonds and debentures.

Denomination of issue.

Negotiability.

23. Any bonds, debentures, or other securities authorized by this Act may be issued in whole or in part in the denomination of dollars or of pounds sterling, and may be made payable, both as to principal and interest, in Canada, the United States or Europe; and the whole or any of such bonds, debentures or other securities may be pledged, negotiated or sold upon such conditions and at such price as the directors from time to time deem advantageous and in the interest of the Company.

Patent rights.

23. The Company may, for the purposes of its business, acquire by lease, purchase or otherwise, and use and dispose of, any rights in letters patent, franchises and patent rights.

Power to grant right to erect buildings, etc. on Company's land.

24. The Company may grant or lease to any person the right to erect on lands belonging to the Company, warehouses, elevators, hotels, mills, manufacturing establishments or other buildings or works for the purpose of giving greater facilities to the public in doing business with the Company; and the buildings or works so erected shall not be bound by, or be subject to, any mortgage or lien on the property of the Company without the written consent of the owner of such buildings or works.

Tramways for transport of ore and freight.

Expropriation powers.

Approval of plans.

25. The Company may construct, acquire and operate ropeways for the transportation of ores and other freight, and also tramways not exceeding ten miles in length in any one case, to or from any point on its lines of railway or any branch thereof in the province of British Columbia, and shall have all such powers for the expropriation of land requisite for the convenient construction and operation of such works as are given by the Railway Act, 1903, to railway companies for railway purposes; but the powers conferred upon the Company by this section shall not be exercised until a plan showing the route of the ropeways or tramways proposed to be constructed has been duly filed with the Department of Railways and Canals, and approved by the Minister and by the Board of Railway Commissioners for Canada; and no such tramway or other way shall be constructed

upon or along any street, highway or other public place within the limits of any municipality until the Company has first obtained the consent of such municipality, within such street, highway or other public place is situate. Consent of municipalities.

2. Before such approval is given, notice of the application therefor shall be published in *The Canada Gazette* for at least one month previous to the time named in the notice for the making of such application, and such notice shall state that all persons interested may appear and be heard on such application. Notice of application for approval.

26. The Company may, for the purpose of promoting the settlement and cultivation of any lands served by any of its said lines of railway, enter agreements with actual or intending settlers, and for this purpose may aid such settlers by making advances, which may be secured upon such lands, or otherwise, and may construct and operate, or aid in, or subscribe towards the construction, maintenance and improvement of roads, viaducts, aqueducts, ditches, flumes, saw and grist mills, and other similar works. Aid to settlers.

27. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with the Grand Trunk Railway Company of Canada, the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company, the Pacific Northern and Omineca Railway Company or the Canadian Northern Railway Company for any of the purposes specified in the said section 281, and thereafter the Company may acquire, hold and guarantee shares, bonds or other securities of such other companies. Agreements with other companies.

28. The Company may make a lease of, or grant running powers over, or the right to work, any of its lines of railway to, or may enter into working arrangements with, the Grand Trunk Pacific Railway Company, or may sell all or any of its lines of railway and appurtenances, or the whole or any part of its undertaking or its capital stock, bonds or other securities to the Grand Trunk Pacific Railway Company, in pursuance of the provisions of section 28 of chapter 122 of the statutes of 1903, being intituled an Act to incorporate the Grand Trunk Pacific Railway Company. Power to make lease or sell to G. T. P. Co.

29. The Company may, in addition to the powers hereinbefore contained, acquire, hold, guarantee, pledge and dispose of stock, bonds or other securities of any company upon such terms as are specified in a by-law passed by the directors for that purpose and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy and voting at any annual meeting or at a special general meeting of the Company duly called for the purpose of considering the said by-law, and such by-law shall also be subject to the approval of the Governor in Council. Power to acquire stock in other companies.

30. The Company may, if deemed expedient, so construct or arrange any bridge required for its lines of railway, or any of them, as to make it suitable for the passage of horses, vehicles and foot passengers and for general traffic purposes, and may con- Bridges may be arranged for general purposes.

Tolls.

struct and maintain all necessary approaches thereto and works in connection therewith, and shall in such case have a right to charge such tolls for use thereof as are approved of by the Board of Railway Commissioners for Canada, and such tolls shall be subject to revision from time to time by the said Board; and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridges.

Time for construction.

Agreement for joint working of bridge.

2. The provisions of section 117 of the Railway Act, 1903, shall not apply to any bridge constructed for such purposes.

3. The Company may unite with, or enter into any agreement with any other company, corporation or person, for the construction or maintenance of any such bridge and the approaches thereto, as a joint work or for the joint working, control, management and use thereof.

Sale of property not required by Company.

31. The Company may, for the benefit and on account of the Company, sell and convey any lands or other property not required for the purposes of the Company, and, with the consent or approval of the trustee or trustees holders of any mortgage forming a charge on the said lands or property, apply the proceeds arising from such sale as the Company deems expedient and any lands or other property so sold shall on payment in full to the Company of the purchase money therefor and on the delivery of a conveyance thereof duly executed by the Company, be vested in the purchaser thereof freed and discharged from all mortgages and charges of any nature by this Act or by the Company created.

Application of 1903, c. 71.

32. The provisions of paragraphs 39, 42, 43 and 44 of the agreement which forms the schedule to chapter 71 of the statutes of 1903, and so much of paragraph 45 of the said agreement as provides that traffic shall not be diverted to ports outside of Canada, shall apply to the Company in the same manner and to the same extent as if the lines of railway hereby authorized had been constructed by the Grand Trunk Pacific Railway Company.

G. T. P. Co. may guarantee securities.

33. The Grand Trunk Pacific Railway Company may, subject to the approval of the Governor in Council, guarantee the bonds, debentures or other securities issued by the Company upon such terms as are specified in a by-law for that purpose passed by the directors of the Grand Trunk Pacific Railway Company, and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy and voting at any general meeting or at a special general meeting of the said company duly called for the purpose of considering such by-law.

Common stock to be held by G. T. P. Co.

34. The Grand Trunk Pacific Railway Company shall acquire and take so much of the common stock of the Company as may be issued, and shall retain and hold the same so long as any of the bonds issued under the provisions of the deed of trust by way of mortgage set forth in schedule A to chapter 98 of the statutes of 1905 remain outstanding and unpaid.

Time for construction of railway limited.

35. If the construction of all the lines of railway hereby authorized is not commenced within two years after the passing of this Act, or if the lines of railway hereby authorized are not

completed and put into operation within five years after the passing of this Act, then the powers conferred upon the Company by this Act shall cease and be null and void as respects so much of the said lines of railway as are not commenced within two years as aforesaid and completed within five years as aforesaid.

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

No. 75.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to incorporate the Grand Trunk Pacific Branch Lines Company.

[*Reprinted as amended and reported by the Railway Committee.*]

(PRIVATE BILL.)

MR. CRAWFORD.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 76.[**BILL.** [1906.

An Act respecting Revillon Brothers, Limited.

WHEREAS Revillon Brothers, Limited, has by its petition represented that it is incorporated by letters patent under the Great Seal of Canada, dated the second day of June, one thousand nine hundred and four, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

Carriage of mails.

1. Revillon Brothers, Limited, hereinafter called "the Company," may make contracts with any government, corporation or person, for the carriage of the mails in any portion of the territory in which its fur and trading posts are now or hereafter may be established.

Vessels.

Warehouses.

2. The Company may build, construct, lease, own and operate ships and vessels for the carriage of passengers and of merchandise, and carry on the business of wharfingers and warehousemen.

Telegraph and telephone lines.

3. The Company may construct and operate telegraph and telephone lines between any of its posts or settlements, and for the purpose of operating such lines, or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved of by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C., c. 132.

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

Timber limits:

Saw-mills.

Water powers.

4. The Company may buy, lease, develop and sell timber limits and rights, and in connection therewith build, erect, establish, own and operate saw-mills and their accessories, and sell and manufacture the product thereof, and also, in connection therewith or otherwise, purchase, lease, develop and sell water powers and their accessories.

Mining.

5. The Company may buy, lease, own, sell and operate mines and the products thereof, and deal in mining claims of every description.

Land.

6. The Company may buy, lease, sell, own and develop land for the purposes of colonization and of settlement.

Fishing and hunting.

7. The Company may buy, sell, lease and dispose of fishing and hunting rights and privileges.

Canning.

Merchants.

Manufacturers.

8. The Company may preserve and can fish, meat, vegetables, and articles of a similar nature, and may carry on the business of general merchants, manufacturers and millers, both wholesale and retail.

Money forwarding.

9. The Company may carry on the business of a money forwarder by post, telegraph or other means.

Savings bank.

1890, c. 32.

10. In connection with its employees and servants, its posts, settlements or offices, the Company may carry on the business of a savings bank, with the powers incidental thereto which are set out in An Act respecting certain Savings Banks in the province of Quebec, being chapter 32 of the statutes of 1890, which Act shall apply to the Company in so far as it does not conflict with the provisions of this Act.

Discount of negotiable instruments.

Loans.

11. The Company may, subject to the provisions of the Bank Act, and of the Bank Act Amendment, 1900, accept and discount cheques, bills of exchange, warehouse receipts and other negotiable instruments, and lend money on the security of real estate and other security.

Territory.

12. The Company may carry on business in Canada and elsewhere.

Capital stock.

13. The capital stock of the Company shall be twenty-eight million francs, equivalent to five million four hundred and four thousand dollars, divided into twenty-eight thousand shares of one thousand francs each, equivalent to one hundred and ninety-three dollars each.

Head office.

14. The head office of the Company for Canada shall be in the city of Montreal.

Bond issue.

15. The Company may, in connection with any of the purposes of its business and on resolution adopted by two-thirds of its shareholders, present in general meeting or any special meeting duly called for that purpose, issue bonds or debentures to an amount not exceeding three-fifths of its paid-up capital stock, and may give and transfer such bonds and debentures in payment, in whole or in part, of the purchase price of any business similar to any of those which the Company has power to carry on, and may acquire and take over any such business, and may secure such bonds or debentures by mortgage or pledge of any part of the assets of the Company, save and except whatever assets and property appertain exclusively to its banking business above referred to.

16. The Company may, for the purposes of its business of a public character, such as the construction or operation of its telephone or telegraph lines, the carrying on to a better advantage of its shipping business, for instance in locating and building wharves, harbours and warehouses adjacent thereto, enter upon the lands of any person or corporation and survey them, and set out and ascertain such parts thereof as it thinks necessary and proper for the above purposes, and use the said lands, and, when the said line or lines pass through any wood, cut down the trees and underwood for the space of fifty feet on each side of the said lines or system, and of such space as is necsesary to give a proper facility in case of wharves or docks, doing as little damage as may be in the execution of the powers herein conferred; and the Company shall make compensation whenever required so to do by the owner or proprietor or the person interested in the lands so entered upon, for all damage, including the cutting of trees and underwood, by him sustained resulting from the exercise of any of the powers granted by this Act. Expropriation of lands.

2. The provisions of the Railway Act, 1903, with respect to expropriation, arbitration and compensation for damages, shall apply, *mutatis mutandis*, to the exercise of the powers granted by this section. Damages; 1903, c. 58.

No. 76.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Revillon Brothers, Limited.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. MCCOOL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 77.] **BILL.** [1906.

An Act respecting the Calgary and Edmonton Railway Company.

Preamble.

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

1890, cc. 5; 84; 1891, c. 71; 1898, c. 57; 1903, c. 89; 1905, c. 66.

Extension of railway authorized.

1. The Calgary and Edmonton Railway Company may lay out, construct and operate an extension of its Lacombe branch from the present authorized terminus thereof one hundred miles east of Lacombe, in the province of Alberta, to a point in range 27 or 28 west of the third meridian between townships 35 and 42 in the province of Saskatchewan.

Time for construction limited.

2. The said line of railway shall be commenced within two years and completed within five years after the passing of this Act: Provided that as to so much thereof as is not constructed within that period the powers of the said company shall cease and determine.

Existing Acts to apply to extension.

3. All the provisions of the said company's Act of incorporation and amendments thereto, except in so far as they are inconsistent with this Act, shall, so far as applicable, apply to the railway which the said company is by this Act authorized to construct and operate.

No. 77.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Calgary and Edmonton Railway Company.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. MCCARTHY,
(Calgary.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 78.] **BILL.** [1906.

An Act respecting the Great North West Central Railway Company.

Preamble.

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

Time for construction extended.

1903, c. 124.

1. The Great North West Central Railway Company may construct and complete the two hundred miles of its railway mentioned in chapter 124 of the statutes of 1903, within five years from the passing of this Act: Provided that the said company's powers as granted by Parliament shall cease and be null and void as respects so much of the said two hundred miles of railway as then remains uncompleted.

No. .78

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Great North West Central Railway Company.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. ROCHE,
(Marquette.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 79.] **BILL.** [1906.

An Act respecting certain patents of Chester Burnell Duryea.

Preamble.

WHEREAS Chester Burnell Duryea, now of the town of Cardinal, in the county of Grenville, chemist, formerly of Sioux city, in the state of Iowa, one of the United States, has by his petition represented that he is the holder of a certain patent issued under the seal of the Patent Office, viz.:—Patent number eighty-two thousand seven hundred and seventy-one, dated the first day of September, one thousand nine hundred and three, for a new and useful process of producing maltose syrups and sugars; and whereas the said Chester Burnell Duryea has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for manufacture extended.

R.S.C., c. 61; 1903, c. 46.

1. Notwithstanding anything in the Patent Act, as amended by chapter 46 of the statutes of 1903, or in the patent mentioned in the preamble, the failure to construct or manufacture, in Canada, the patented invention under the said patent shall be deemed not to have affected the validity of the said patent, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of two years from the passing of this Act.

Rights of third persons saved.

2. If any person, other than any licensee, has, in the period between the expiry of two years from the date of the said patent and the date of the passing of this Act, commenced to manufacture, use and sell in Canada the patented invention covered by the said patent, such person may continue to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed: Provided that this exemption shall not extend to any person who, without the consent of the holder of such patent, has commenced the construction or manufacture of the said invention before the expiry of the patent.

No. 79.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting certain patents of Chester Burnell Duryea.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. BELCOURT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 80.] **BILL.** [1906.

An Act respecting the Pacific Northern and Omineca Railway Company.

Preamble. 1902, c. 90; 1904, c. 114.

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

1902, c. 90, s. 7 amended.

1. Section 7 of chapter 90 of the statutes of 1902 is amended by adding at the end thereof the following words:—

"Also from the junction of the Skeena and Copper rivers or in the vicinity thereof, to the junction of the Bulkley and Telkwa rivers, or in the vicinity thereof."

1904, c. 114 repealed.

2. Chapter 114 of the statutes of 1904 is repealed.

Time for construction of railway extended.

3. The construction of the railway of the Pacific Northern and Omineca Railway Company may be proceeded with and the railway finished and put in operation within five years after the passing of this Act; and if the said railway is not finished and put in operation within the said period, the powers 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.

No. 80.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Pacific Northern and Omineca Railway Company.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. MCCARTHY,
(Simcoe.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 81.] **BILL.** [1906.

An Act respecting the Bell Telephone Company of Canada.

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

1. The capital stock of the Bell Telephone Company of Canada may be increased from time to time by such amounts as the shareholders deem necessary for the proper extension of the undertaking of the said company, such increases to be effected by resolution of the directors by and with the consent of a majority in value of the shareholders present or represented by proxy at any annual general meeting or at any special general meeting of shareholders called for that purpose; provided that the total capital of the said company, including the present authorized stock, shall not exceed fifty million dollars. Power to increase capital.

No. 81.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Bell Telephone Company of Canada.

First reading, April 3, 1906.

(PRIVATE BILL.)

MR. BUREAU.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 82.] **BILL.** [1906.

An Act respecting Express Companies.

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

SHORT TITLE.

1. This Act may be cited as the Express Companies Act, 1906. Short title.

INTERPRETATION.

2. In this Act, and in the special act incorporating any express company to which this Act or any part thereof applies, unless the context otherwise requires,— Interpretation.

(*a*) the expression "Board" means the "Board of Railway Commissioners for Canada;" "Board."

(*b*) the expression "by-law", when referring to the Act of the Company, includes a resolution; "By-law."

(*c*) the expression "company" means and includes any corporation or any association incorporated or unincorporated, or any partnership or person carrying on the business of an express company; "Company."

(*d*) the expression "goods" includes personal property of every description capable of being carried by hand or by vehicle of any kind, howsoever propelled, either on land or on water, and includes gold and silver (coined or uncoined), money, securities for money, evidences of debt, muniments and documents of title to real or personal property; "Goods."

(*e*) the expression "highway" includes any public road, street, lane, or other public way or communication; "Highway."

(*f*) the expression "Special Act" means any Act (Federal or Provincial) under which the company is incorporated or which is enacted with special reference thereto, and includes all such Acts, and where such incorporation is by letters patent granted under any Act such letters patent shall be deemed to form part of such Act; "Special Act."

(*g*) the expression "justice" means a justice of the peace acting for the district, county, riding, division, city or place where the matter requiring the cognizance of a justice arises, and who is not interested in the matter, and when any matter is authorized or required to be done by two justices, the expression "two justices" shall be understood to mean two justices assembled and acting together; "Justice." "Two justices."

"Minister." (*h*) the expression "Minister" means the Minister of Railways and Canals;

"Toll" "Rate." (*i*) the expression "toll" or "rate" means and includes any toll, rate, or charge made for the carriage, collection or delivery of any goods, or for wharehousing or wharfage, or other services incidental to the business of a carrier;

"Charge." (*j*) the verb "charge," when used with respect to tolls, means and includes to quote, charge, demand, levy, take, or receive.

APPLICATION OF ACT.

Application of Act. **3.** This Act shall apply to any corporation and to any association incorporated or unincorporated, and to any partnership or person now or hereafter carrying on in Canada the business of an express company, or an express business extending beyond the limits of any province, or connecting any province with any other province, and any such undertaking is declared to be an undertaking for the general advantage of Canada. It shall also apply to any foreigner, foreign corporation or foreign association of persons, carrying on an express business, which business shall extend to and into Canada, so far as concerns the express business transacted or to be transacted by him or it in Canada or in any province thereof.

JURISDICTION AND GENERAL POWERS OF RAILWAY COMMISSION.

Jurisdiction of Board upon application. **4.** The Board shall have full jurisdiction to inquire into, hear and determine any application by or on behalf of any party interested—

Neglect of duties under any Act, regulation or order. (*a*) complaining that the company, or any person, has failed to do any act, matter or thing required to be done by this Act, or the Special Act, or by any regulations, order or direction made thereunder by the Board or by the Minister, or has done

Violations. or is doing any act, matter, or thing contrary to or in violation of this Act or the Special Act or any such regulation, order or direction;

Orders, directions or approval. (*b*) requesting the Board to make any order, or give any direction, sanction or approval, which by law it is authorized to make or give.

Mandatory order. And the Board may order and require any company or person to do forthwith, or within or at any specified time, and in any manner prescribed by the Board, so far as is not inconsistent with this Act, any act, matter, or thing which such company or person is or may be required to do under this Act, or the

Injunction order. Special Act, and may forbid the doing or continuing of any act, matter or thing which is contrary to this Act, or the Special Act, and shall have full jurisdiction to hear or determine all matters whether of law or of fact, and shall as respects the attendance and examination of witnesses, the production and inspection of documents, the enforcement of its orders, the inspection of property, and other matters necessary or proper

All powers of a superior court. for the due exercise of its jurisdiction under this Act, or otherwise, for carrying this Act into effect, have all such powers, rights and privileges as are vested in a superior court.

Board on complaint may inquire 2. The Board may, upon or without complaint, information, or request by or of any railway company, or any express com-

pany interested, inquire into the terms, reasonableness, operation and effect of any contract or agreement between any railway company and any express company respecting the carriage of express traffic by any railway company, or the use of the trains or cars of the railway company by the express company, and may by order or regulation, from time to time, as to the Board seems just, alter, amend or modify the same, and enforce the observance thereof by both the railway company and the express company parties thereto.

into contracts between companies.

Board may modify or enforce contract.

3. The decision of the Board upon any question of law or fact, and as to whether any company, municipality or person is, or is not, a party interested within the meaning of this section shall be binding and conclusive upon all corporations and persons, and in all courts.

Decision upon questions of law or fact, or whether party is interested, conclusive.

5. The Board may of its own motion, or shall, upon the request of the Minister, enquire into, hear and determine any matter or thing which under this Act, it may enquire into, hear and determine upon application or complaint, and with respect thereto shall have and may exercise the same powers as, upon any application or complaint, are vested in it by this Act.

Board may act upon its own motion.

2 Any power or authority vested in the Board under this Act may, though not so expressed in this Act, be exercised from time to time, or at any time, as the occasion may require.

Power to act from time to time.

6. The Board may make orders and regulations—

Board may make regulations respecting—

(*a*) with respect to the safety of goods carried, or to be carried or delivered by the company;

Safety of goods.

(*b*) with respect to any matter, act or thing which by this or the Special Act, is sanctioned, required to be done, or prohibited;

Anything sanctioned by this Act or Special Act.

(*c*) and may limit the application of and may review, rescind, change, alter or vary any rule, regulation, order or decision made by it whether previously published or not.

Previous regulations of Board.

7. Sections 26 to 50, both inclusive, of the Railway Act, 1903, shall, so far as applicable, apply to express companies.

1903, c. 58, ss. 26 to 50 to apply.

GENERAL POWERS OF THE COMPANY.

8. The company may, subject to the provisions in this and in the Special Act contained,—

Powers of company.

(*a*) purchase, lease, take and hold of and from any person, any lands or other property necessary for the authorized purposes of the company, and also alienate, sell and dispose of any lands or property of the company;

Acquire property.

Dispose of property.

(*b*) collect, receive, transport, carry, convey and deliver, and cause to be transported, carried and conveyed from place to place in or through Canada goods (including muniments and evidences of title to any real or personal property) by hand or by vehicle or vessels of any kind, howsoever propelled, either on land or water, to, along, across and upon any highway, or water way, or, (subject to the Railway Act, 1903, and to the terms of any contract with any railway company), any railway.

Transport goods in and through Canada.

BY-LAWS, RULES AND REGULATIONS.

Powers of company to make by-laws and regulations respecting—

Goods to be carried.

Employees of company.

Management of affairs.

9. The company may, subject to this Act or the Special Act, and to the Railway Act, 1903, make by-laws, rules and regulations respecting—

(*a*) the collection, receipt, arrival, despatch, delivery and weighing of goods to be carried;

(*b*) the employment and conduct of the officers, messengers and other employees of the company; and,

(*c*) the due management of the affairs of the company.

Form of by-laws and regulations.

10. All by-laws, rules and regulations, whether made by the directors or the company, shall be in writing, signed by the chairman or person presiding at the meeting at which they are adopted, and have affixed thereto the common seal of the company and shall be kept in the head office of the company.

Copy of by-law or regulation to be affixed in public place.

In both languages in Province of Quebec.

11. A printed copy of so much of any by-law, rule or regulation as affects any person other than the shareholders or proprietors, or the officers, messengers or employees of the company shall be openly affixed and kept affixed in a conspicuous place in every office of the company, so as to give public notice thereof to persons interested or affected thereby. In the province of Quebec such notice shall be so published both in the English and French languages.

Copy of part affecting officer or employee to be given him.

2. A printed copy of so much of any by-law, rule or regulation as relates to the conduct of or affects the officers, messengers or employees of the company, shall be given to every officer, messenger or employee of the company thereby affected, and in the province of Quebec it shall be so published both in the English and the French languages.

Copy certified and bearing seal of company to be evidence in court.

12. A copy of any by-law, rule or regulation certified as correct by the president, secretary or other executive officer of the company and bearing the seal of the company, shall be evidence thereof in any court.

TOLLS.

By-laws to be passed authorizing issue of tariffs of tolls to be charged by the company.

To be approved by Board.

13. The company or its directors or any such officer of the company thereto authorized may, by by-law, from time to time, prepare and issue tariffs of the tolls to be charged for all goods carried by the company, and may specify the persons to whom, the place where and the manner in which such tolls shall be paid.

2. All such by-laws shall be submitted to and approved by the Board, and no tolls shall be charged by the company until the by-law authorizing the preparation and issue of tariffs of such tolls has been so approved, nor shall the company charge, levy or collect any money for any services as a carrier except under the provisions of this Act.

Discrimination prohibited.

14. The Board may, within three months after the passing of this Act, by order or regulation filed in the office of the secretary of the Board, open to inspection by the public, prescribe as to tolls to be charged by the company, such rule as the Board deems just upon the following subjects; namely, prohibition of

discrimination, proportion of decrease in tolls in proper cases, prohibition of unjust discrimination between localities, long and short carriage, competitive points, prohibition of pooling, goods, classification, and such other subjects as the Board deems necessary or expedient. Such orders and regulations, and any amendments made by the Board thereto, from time to time, shall have the same force and effect as if made by statute.

Duty of company to afford reasonable facilities for receiving, forwarding and delivering traffic without partiality and without unreasonable delay.

15. All companies shall, according to their respective powers, afford to all persons and companies all reasonable and proper facilities for the receiving, forwarding and delivering of goods and traffic, and for the interchange of traffic between their traffic route and the traffic route of any other express company, and no company shall make or give any undue or unreasonable preference or advantage to, or in favour of any particular person or company, or any particular description of traffic or goods in any respect whatsoever, nor shall any company by any unreasonable delay or otherwise howsoever make any difference in treatment in the collecting, receiving, forwarding, delivering or other dealing with goods of a similar character in favour of or against any particular person or company, nor subject any particular person or company, or any particular description of traffic or goods to any undue or unreasonable prejudice or disadvantage in any respect whatsoever, nor shall any company discriminate unjustly against any locality or industry or against any traffic which may originate on its express route destined to a point on another express route in Canada with which it connects; and every company which operates an express route forming part only of a continuous route, or which intersects any other express route, or which has any receiving or delivering office near to any receiving or delivering office of any other express company shall afford all due and reasonable facilities for delivery to such other express company, or for receiving from and forwarding by its express route all the traffic or goods arriving by such other express route without any unreasonable delay and without any such preference or advantage, or prejudice or disadvantage, as aforesaid, and so that no obstruction is offered to the public desirous of using such express route as a continuous line of traffic and so that all reasonable accommodation, by means of the routes of the several companies is, at all times afforded to the public in that behalf; and any agreement made between any two or more companies contrary to this section shall be unlawful and null and void.

Difference in treatment.

Undue prejudice or disadvantage.

Agreements in violation to be void.

Power of Board to determine what are substantially similar circumstances, undue preferences, etc.

2. The Board may determine, as questions of fact, whether or not traffic is or has been carried under substantially similar circumstances and conditions and whether there has, in any case, been unjust discrimination or undue or unreasonable preference or advantage, or prejudice or disadvantage within the meaning of this Act, or whether in any case the company has or has not complied with the provisions of this and the last preceding section; and may by regulation declare what shall constitute substantially similar circumstances and conditions, or unjust or unreasonable preferences, advantages, prejudices or disadvantages, within the meaning of this Act or what shall constitute compliance or non-compliance with the provisions of this and the last preceding section.

Burden of proof respecting unjust discrimination, etc.

16. Whenever it is shown that any company charges one person, company or class of persons, or the persons in any district, lower tolls for the same or similar goods, or lower tolls for the same or similar services, than they charge to other persons, companies or class of persons, or to the persons in another district, or makes any difference in treatment in respect of such companies or persons, the burden of proving that such lower tolls or difference in treatment does not amount to an undue preference or an unjust discrimination shall lie on the company.

What Board may consider in determining unjust discrimination, etc.

2. In deciding whether a lower toll or difference in treatment does or does not amount to any undue preference or an unjust discrimination, the Board may consider whether such lower toll or difference in treatment is necessary for the purpose of securiag, in the interest of the public, the traffic in respect of which it is made, and whether such object cannot be attained without unduly reducing the higher tolls.

Apportionment of toll for carriage by land and water.

3. In any case in which the toll charged by the company for carriage, partly by land and partly by water, or partly by one method of carriage and partly by another (for example, by rail and stage or on foot) is expressed in a single sum, the Board, for the purpose of determining whether a toll charged is discriminatory or contrary in any way to the provisions of this Act, may require the company to declare forthwith to the Board, or may determine what portion of the said single sum is charged in respect of the carriage by land, or in respect of any one or more of the methods of carriage.

Form, etc., of tariffs.

17. All tariff by-laws and tariffs of tolls shall be in such form, size and style and give such information, particulars and details as the Board may, by regulation, or in any case prescribe.

Disallowance, etc., of tariffs.

18. The Board may disallow any tariff or any portion thereof which it considers to be unjust or unreasonable or contrary to any of the provisions of this Act, and may require the company within a prescribed time to substitute a tariff satisfactory to the Board in lieu thereof, or may prescribe other tolls in lieu of the tolls so disallowed, and may designate the date at which such tariff shall come into force.

Board may make regulations as to tolls to be charged.

19. The Board may, within three months after the passing of this Act, by order or regulation, filed in the office of the secretary of the Board, open to inspection by the public, prescribe as to the tolls to be charged by the company such rules as the Board deems just dealing in such cases as are proper and necessary with reference to express companies, with the several subjects dealt with in respect of railways in and by sections 257, 258, 259, 260, 261, 262, 266, 267, 268, 269, 270, 271, 272, 273, and 274 of the Railway Act, 1903, and dealing with such other subjects as the Board deems necessary or expedient. Such orders and regulations and any amendments made by the Board thereto, from time to time, shall have the same force and effect as if made by statute.

Regulations by Board to have force of enactment.

GENERAL PROVISIONS RESPECTING CARRIAGE.

20. No contract, condition, by-law, regulation, declaration or notice made or given by the company impairing, restricting or limiting its liability in respect of the carriage of any goods or traffic shall relieve the company from such liability, except as hereinafter provided, unless such class of contract, condition, by-law, regulation, declaration or notice shall have been first authorized or approved by order or regulation of the Board. Contracts, etc., impairing carrier's liability.

2. The Board may in any case, or by regulation, determine the extent to which the liability of the company may be so impaired, restricted or limited and may by regulation prescribe the terms and conditions under which any goods or traffic may be carried by the company. Power of Board.

3. Nothing in this Act shall be construed to prevent the carriage, storage or handling of goods or traffic free or at reduced rates for the Government of Canada or any provincial or municipal government, or for charitable purposes, or to or from fairs or expositions for exhibition thereat: Provided that the carriage of goods or traffic by the company under this subsection may in any particular case or by general regulation be extended, restricted, limited or qualified by the Board. Carriage, etc., of certain traffic allowed free or at reduced rates.

TRAFFIC BY WATER.

21. When the company uses or charters or is a party to any arrangement for using or chartering vessels for carrying goods or traffic by sea or by inland water, between any places or ports in Canada, the provisions of this Act in respect of tolls shall, so far as they are applicable, extend to the goods and traffic carried thereby. Carriage of traffic by water.

PENALTIES AND ACTIONS.

22. The company or any director or officer thereof, or any receiver, trustee, lessee, agent or person acting for or employed by the company who, alone or with any other company or person shall wilfully do or cause to be done, or shall willingly suffer to be done any act, matter or thing contrary to the provisions of or to any order, direction, decision or regulation of the Board, made or given under this Act, in respect of tolls, or who shall aid or abet therein, or shall wilfully omit or fail to do any act, matter or thing thereby required to be done, or shall cause or willingly suffer or permit any act, matter or thing so directed or required thereby to be done, not to be so done, or shall aid or abet any omission or failure, or shall be guilty of any infraction of any such order, direction, decision or regulation, or any of such provisions of this Act, or shall aid or abet therein, shall for each offence be liable to a penalty of not more than one thousand dollars nor less than one hundred dollars. Penalties for violation of Act as to tolls.

2. Any company, or any officer or agent thereof, or any person so acting for or employed by the company, who by means of false billing, false classification, false report of weight or by any other device or means shall knowingly, wilfully or shall willingly Penalties for false billing by company.

suffer or permit any person to obtain transportation for goods at less than the required toll then authorized and in force for the company, shall for each offence be liable to a penalty of not exceeding one thousand dollars nor less than one hundred dollars.

Penalties for false billing by shippers, etc.

3. Any person or any officer or agent of any incorporated company who shall deliver goods for transportation to the company or for whom as consignor or consignee the company shall transport goods, who shall knowingly or wilfully, by false billing, false classification, false weighing, false representation of the contents of the package or false report of weight, or by any other device or means whether with or without the consent or connivance of the company, its agent or agents, obtain transportation for such goods at less than the regular tolls then authorized and in force for the company, shall for each offence be liable to a penalty of not exceeding one thousand dollars nor less than one hundred dollars. The Board may make regulations providing that any such person or company shall, in addition to the regular toll, be liable to pay to the company a further toll not exceeding fifty per cent of the regular charge. The company may, and when ordered by the Board shall, open and examine any package, box, case or shipment for the purpose of ascertaining whether this subsection has been violated.

Penalties for inducing unjust discrimination.

4. Any person or company or any officer or agent of any company who shall offer, grant or give, or shall solicit, accept or receive any rebate, concession or discrimination in respect of the transportation of any traffic or goods by the company whereby any such traffic or goods shall by any device whatsoever be transported at a less rate than that named in the tariff then in force, or for whom the company or any of its officers or agents shall by any such means be induced to transport goods or traffic and thereby to discriminate unjustly in his, its or their favour as against any other person or company or who shall aid or abet the company in any unjust discrimination, shall for each offence be liable to a penalty not exceeding one thousand dollars nor less than one hundred dollars.

Tariff binding on company.

5. Whenever the Company files with the Board any tariff and such tariff comes into force and is not disallowed by the Board under this Act, or participates in any such tariff, the tolls in such tariff, while so in force, shall as against such company, its officers, agents or employees, in any prosecution under this Act be conclusively deemed to be the legal tolls chargeable by such company and any departure therefrom shall be an offence under this Act.

Action for treble damages.

6. The company shall, in addition to any penalty in this section provided, be liable at the suit of any person injured to three times the amount of the actual damage he may be proved to have sustained by reason of any infraction by the company or any officer, servant or agent of the company of any of the provisions of, or of any order, direction, decision or regulation made or given by the Board under this Act in respect of tolls.

Leave of Board necessary.

7. No prosecution shall be had or instituted for any penalty provided under this section, nor shall any action be commenced for any treble damages under this section without the leave of the Board first being obtained.

COLLECTION OF TOLLS.

23. In case of refusal or neglect of payment on demand of any lawful tolls, or any part thereof, the same shall be recoverable in any court of competent jurisdiction; or the agents or servants of the company may seize the goods for or in respect whereof such tolls are payable and may detain the same until payment thereof, and in the meantime the goods shall be at the risk of the owners thereof. Enforcing payment of tolls.

2. If the tolls are not paid within six weeks, and where the goods are perishable goods, if the tolls are not paid upon demand, or such goods are liable to be destroyed while in the possession of the company by reason of delay in payment or taking delivery by the consignee, the company may advertise and sell the whole or any part of such goods and out of the money arising from such sale retain the tolls payable and all reasonable charges and expenses of such seizure, detention and sale, and shall deliver the surplus if any of such of the goods as remain unsold to the person entitled thereto. Sale of goods to recover tolls.

3. If any goods remain in the possession of the company unclaimed for the space of twelve months, the company may thereafter and on giving public notice thereof by advertisement for six weeks in a newspaper published in the municipality or division in which such goods are situate, sell such goods by public auction at a time and place mentioned in such advertisement and out of the proceeds thereof pay such tolls and all reasonable charges for storing, advertising and selling such goods, and the balance of the proceeds, if any, shall be kept by the company for a further period of three months to be paid over to any person entitled thereto. Unclaimed goods. Notice. Sale. Application of proceeds.

4. In default of such balance being claimed before the expiration of the period last aforesaid it shall be deposited with the Minister of Finance and Receiver General for the public use of Canada, but may be claimed by the person entitled thereto at any time within six years from the date of such deposit. Unclaimed balances.

TRAFFIC AGREEMENT.

24. The company may at any time make and enter into any agreement or arrangement not inconsistent with this or the Special Act, with any other company either in Canada or elsewhere, for the interchange of traffic and for the division and apportionment of tolls in respect of such traffic. Traffic agreements.

OFFENCES AND PENALTIES.

25. No company shall either directly or indirectly employ any of its funds in the purchase of its own stock or in the acquisition of any shares or other securities issued by any other express company in Canada, but this shall not affect the powers or rights which any company in Canada now has or possesses by virtue of any special Act to acquire, have or hold shares or other securities of any express company in Canada or the United States. Company not to purchase stock in other companies. Existing rights saved.

2. Every director or officer of an express company who knowingly permits the funds of any such company to be applied in Penalty upon directors.

violation of this section shall incur a penalty of one thousand dollars for each such violation, which penalty shall be recoverable on information filed in the name of the Attorney General of Canada, and a moiety thereof shall belong to the Crown, and the other moiety thereof shall belong to the informant; and the acquisition of each share or other security as aforesaid shall be deemed a separate violation of the provisions aforesaid.

Obstructing officers of company.

26. Every person who wilfully obstructs or impedes any officer, messenger or agent of the company in the execution of his duty upon any highway, train, railway or upon any of the premises of a railway company or an express company, or who, not being an employee of the express company or of the railway company, wilfully trespasses by entering upon any express car or express compartment in a car used by the express company on the line of a railway, in order to occupy such express car or express compartment for his own purposes, shall be liable on summary conviction to a penalty not exceeding ten dollars, or in default of payment to imprisonment for a term not exceeding one month.

Trespassing.

Penalties.

Witnesses.

2. Any person charged with an offence under this section shall be a competent witness in his own behalf.

Liability of company, directors, etc.

27. The company, or any director or officer or agent or any person acting for or employed by the company, doing, causing or permitting to be done any matter, act or thing contrary to the provisions of this or the Special Act, or to the orders or directions of the Board or Minister made hereunder, or omitting to do any matter, act or thing required to be done on the part of any such company or person, is liable, to any person injured thereby, for the full amount of damage sustained by such act or omission, and if no other penalty is in this or the Special Act provided, for any such act or omission, shall be liable for each offence to a penalty of not less than twenty dollars and not more than one hundred dollars, in the discretion of the court before which such penalty is recoverable.

Damages.

Penalty.

Violation by employees of by-laws, etc., punishable in certain cases.

28. Every officer or servant of, and every person employed by the company, who wilfully or negligently violates any by-law, rule or regulation of the company or its directors, lawfully made or in force, or any order or notice of the Board, or of the Minister, of which a copy has been delivered to him, or which has been posted up, or open to his inspection in some place where his work or his duties, or any of them, are to be performed, if such violation causes injury to, or the loss of any property, or exposes any property to the risk of such injury, or renders such risk greater than it would have been without such violation, although no actual injury occurs, is guilty of an offence, and shall, in the discretion of the court before which the conviction is had, and according as the court considers the offence to be more or less grave, or the injury or risk of injury to the property to be more or less great, be punished by fine or imprisonment or both; but no such fine shall exceed dollars, and no such imprisonment shall exceed the term of months.

Penalty.

2. The company may, in all cases under this section, pay the amount of the penalty and costs, and recover them from the offender, or deduct it from his salary or pay. Recovery of penalty from employees.

29. Every person who bores, pierces, cuts, opens or otherwise injures any safe, case, box, sack, wrapper, package or roll of goods, in or about any express car or compartment, or any wagon, boat, vessel, warehouse, office, wharf, quay or premises of, or used by any company, with intent feloniously to steal or otherwise unlawfully to obtain, or injure the contents or any part thereof, is liable on summary conviction to a penalty not exceeding twenty dollars over and above the value of the goods so taken or destroyed, or to imprisonment, with or without hard labour, for a term not exceeding one month, or to both. Damaging freight with intent to steal contents. Penalties.

30. When the violation of, or failure to comply with, any provisions of this Act, or any regulation or order or direction of the Board, or the Minister, is made an offence subject to penalty, by this Act, or by any regulation made under this Act, each day's continuance of such violation or failure to comply shall constitute a separate offence. Each day's violation of this Act, or regulations] hereunder, a distinct offence.

2. For the purpose of enforcing any penalty under any of the provisions of this Act, or enforcing any regulation, order or direction of the Board, or the Minister, made under this Act, the act, omission or failure of any officer, agent or other person acting for, or employed by the company acting within the scope of his employment, shall in every case be also deemed to be the act, omission or failure of such company as well as that of the person; and anything done or omitted to be done by the company, which, if done or omitted to be done by any director, or officer thereof, or any agent, or person acting for or employed by the company, would constitute an offence under this Act shall also be held to be an offence committed by such company, and upon conviction thereof the company shall be subject to the like penalties as are prescribed by this Act with reference to such persons. Act or omission of officer, etc., deemed to be act or omission of company. Certain penalties may be imposed on conviction.

31. Where any penalty prescribed for any offence under this Act is one hundred dollars or less, with or without imprisonment, the penalty may, subject to the provisions of this Act, be imposed and recovered on summary conviction before a justice of the peace, and where the penalty prescribed is more than one hundred dollars and less than five hundred dollars the penalty may, subject as aforesaid, be imposed and recovered on summary conviction before two or more justices, or before a police magistrate, a stipendiary magistrate or any person with the power or authority of two or more justices of the peace. Recovery of penalties under this Act.

2. Whenever the Board shall have reasonable ground for belief that the company, or any person or corporation, is violating or has violated any of the provisions of this Act, in respect of which violation a penalty may be imposed under this Act, the Board may request the Attorney General for Canada to institute and prosecute proceedings on behalf of the Crown against such company or person for the imposition and recovery of the penalty provided under this Act for such violation, or the Board Proceedings instituted by Attorney General.

may cause an information to be filed in the name of the Attorney General for Canada for the imposition and recovery of such penalty.

Prosecution for penalty over $100.

3. No prosecution shall be had against the company for any penalty under this Act in which the company might be held liable for a penalty exceeding one hundred dollars without the leave of the Board being first obtained.

Penalties a first charge on property of company.

32. Where any penalty under this Act has been lawfully imposed upon any company, such penalty shall be the first lien or charge upon the property, assets and revenues of the company.

STATISTICS AND RETURNS.

Returns to be prepared.

33. Every company shall, when and as required by orders or regulations of the Board to be made for that purpose, prepare returns of such and all subjects, particulars, matters and things, and of such information as the Board shall by such orders or regulations prescribe, to be filed with the Board, and such returns shall be dated and signed by and attested upon the oath of the general manager, secretary or other chief officer of the company.

Form and attestation.

Period included.

2. The Board may from time to time, by rules or regulations, prescribe the form of such returns, the period to be included in each return, the times when they shall be made and filed, and generally the particulars and information to be contained therein, and all matters, acts and things relating thereto.

Other returns, when required.

3. The Board may from time to time, in addition to the periodical returns to be made by the company, pursuant to this section, require such other information and returns to be furnished, made and filed by the company as the Board deems necessary and expedient, and may prescribe the time within which they shall be furnished and filed. All such last mentioned information and returns shall be furnished, made and filed by the company when and as required by the Board.

Penalty for non-compliance.

4. Every company which makes default in filing any return in accordance with the provisions of this section shall incur a penalty not exceeding ten dollars for every day during which such default continues.

Making false returns a misdemeanor.

34. Every person who, knowing it to be false in any particular, signs any return required by the next preceding section is guilty of an offence punishable on summary conviction.

Powers of Board respecting returns.

35. The Board may summon, require the attendance of, and examine under oath any officer, servant or agent of the company or any other person as to any matters included in any return made by the company or any officer thereof, or which were required by the Board to be returned to the Board, and as to any matter or thing which, in the opinion of the Board, is relevant to such return or to any inquiry which the Board deems expedient to make, and for such perposes may require the production to the Board of any books or documents in control of the company, or of such officer, servant, agent or person.

Production of documents.

2. If any company or officer, servant or agent thereof, wilfully or negligently refuses to make such return when and as thereunto required by the Board, or fails to make any such return to the utmost of its, or his, knowledge or means of knowledge, the company and every such officer, servant or agent so in default shall severally be liable, on conviction, to a penalty not exceeding one thousand dollars, and in addition each such officer, servant or agent so convicted shall be liable to imprisonment in the common jail of the county in which such conviction is made for any period not exceeding twelve months. Refusal to make returns. Penalties.

3. If the company or any officer, servant or agent thereof, wilfully or negligently makes any false return or any false statement in any such return, the company and any such officer, servant or agent shall be severally liable on conviction to a penalty not exceeding one thousand dollars, and such officer, servant or agent shall also, on such conviction, be liable to imprisonment for any period not exceeding twelve months in the common jail of the county where such conviction is had. Making false returns to Board.

4. Any information furnished to the Board by any such return, or any evidence taken by the Board in connection therewith, shall not be open to the public or published, but shall be for the information of the Board only; and if any official or servant of the Board, or any person having access to or knowledge of any such return or evidence shall, without the authority of the Board first obtained, publish or make known any information, having obtained it or knowing it to have been derived from such return or evidence, he shall be liable on conviction to a penalty not exceeding five hundred dollars for each offence, and to imprisonment not exceeding six months in the common jail in the county where such conviction is had. Information privileged. Penalty for employees of Board divulging information.

36. The provisions of this Act which relate to the amount of tolls to be charged shall not come into force until three months after the passing of this Act or until such later date as the Board may, in any particular case, determine. When provisions as to ollst, to come into force.

No. 82.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Express Companies.

First reading, April 3, 1906.

Mr. Alcorn.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 83.] **BILL.** [1906.

An Act to amend the Act respecting the Judges of Provincial Courts.

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

1. Section 13 of the Act respecting the Judges of Provincial Courts, chapter 138 of the Revised Statutes, as enacted by section 6 of chapter 31 of the statutes of 1905, is repealed, and the following is substituted therefor:— R.S.C., c. 138, new s. 13. 1905, c. 31, s. 6 repealed.

"TRAVELLING ALLOWANCES.

"**13.** There shall be paid to the judges for travelling allowances the sums following, that is to say:— Travelling allowances, superior, admiralty and county courts.

(*a*) To each judge of a superior court, each local judge in Admiralty of the Exchequer Court and each judge of a county court, except as herein otherwise provided, in addition to his moving or transportation expenses, the sum of six dollars for each day, including necessary days of travel going and returning, during which he is attending as such judge in court or chambers at any place other than that at which he is by law obliged to reside: Provided that—

i. No judge shall receive any travelling allowance for attending in court or chambers at the place where he resides and, Court where judge resides.

ii. In the province of Nova Scotia no judge of the Supreme Court shall receive any travelling allowance for attending courts or chambers held at the city of Halifax, and, Nova Scotia.

iii. No judge of a county court shall receive any travelling allowance for courts or chambers held at the county town of the county or union of counties within which he resides. Courts held at county town.

(*b*) In the Yukon Territory the judges of the Territorial Court shall be paid such travelling allowances as the Governor in Council determines. Yukon Territory.

(*c*) To each judge of a district court in Ontario, an annual sum of five hundred dollars. Ontario.

2. Every application for payment of any travelling allowances shall be accompanied by a certificate of the judge applying for it of the number of days for which he is entitled to claim such allowance: Provided that in the province of Quebec no travelling allowances shall be granted to any judge requested to sit in review under section 1 of chapter 20 of the statutes of 1898 of the province of Quebec, or attending any court held at any other place than that at which he resides, unless it is Certificates to accompany application for travelling allowances. Proviso as to Quebec.

certified by the chief justice, or the judge performing the duties of chief justice in the district, that the attendance was in his opinion necessary."

In Manitoba and British Columbia, when Act deemed to come into force.

2. For the purpose of authorizing and ratifying the payments heretofore made for travelling allowances to judges of the county courts in the provinces of Manitoba and British Columbia, this Act shall be deemed to have come into force on the twentieth day of July, one thousand nine hundred and five, and shall be deemed to be sufficient indemnity for all payments made to those judges under any Order in Council passed after that date.

No. 83.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the Judges of Provincial Courts.

First reading, April 4, 1906.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 84.] **BILL.** [1906.

An Act respecting the Grand Trunk Pacific Railway Company.

Preamble.

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

1903, c. 122; 1904, c. 80; 1905, c. 98.

Issue of debenture stock.

1. The directors of the Grand Trunk Pacific Railway Company, hereinafter called "the Company," being first authorized in that behalf as required by section 111 of the Railway Act, 1903, may from time to time make and issue perpetual or terminable debenture stock, payable in Canadian currency or in sterling money of Great Britain, for a principal amount not exceeding in the whole twenty-five million dollars, or the equivalent thereof in pounds sterling.

By-law relating to issue.

2. Previous to each issue of any of the debenture stock hereby authorized, the Company shall pass a by-law providing therefor, and for the convenient transfer and registration of the debenture stock so issued, and for all other matters incidental to such issue and its management; every such by-law shall also prescribe the amount of such debenture stock to be issued thereunder, the rate of interest payable upon such issue, which, if deemed expedient, may be different for each issue, the dates and places of payment of such interest and of the principal of such debenture stock, if terminable, and declaring and defining the rights, privileges, ranking and remedies of the holders of such debenture stock (who shall not, however, as between themselves, be entitled to any preferences or priority), and of the Grand Trunk Railway Company of Canada, hereinafter called "the Grand Trunk Company," as guarantor thereof under any guarantee duly authorized, and each such by-law shall form the basis of the issue of the debenture stock therein referred to and be effectual for the purpose of such issue, and shall not be altered in any matter affecting the interests of holders of such debenture stock otherwise than is therein provided.

Terms of by-law.

Deposit of by-law.

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

Ranking of debenture stock.

3. The debenture stock from time to time issued under the authority of this Act shall, subject to the payment of any

penalty then or thereafter imposed upon the Company for non-compliance with the requirements of the Railway Act, 1903, and to the payment of working expenditure as respectively defined in the deeds of trust by way of mortgage set forth in schedules A, B and C to chapter 98 of the statutes of 1905, constitute a lien or charge, ranking next and immediately after the securities mentioned in the schedule to this Act, upon the railway, undertaking, equipment and property, rights and franchises of the Company described in the said respective deeds of trust by way of mortgage and subject to the lien thereof:

Proviso.

Provided that nothing in this Act shall take from or in any way affect the priorities of any of the securities mentioned in the said schedule to this Act as they now exist.

Guarantee by Grand Trunk Railway Co.

4. Any guarantee by the Grand Trunk Company of the debenture stock hereby authorized shall constitute a liability of the said company in priority to all the share capital of the said company other than that company's issue known as "Grand Trunk four per cent guaranteed stock."

Application of proceeds of sale of stock.

5. The Company shall apply so much of the proceeds realized from the sale of such debenture stock as is necessary for the equipment which by the scheduled agreements referred to in section 2 of chapter 24 of the statutes of 1904 the Company has undertaken to provide, and shall apply the balance in carrying out the provisions of the said scheduled agreements.

Guarantee of bonds of G. T. P. Branch Lines Co.

6. The Company may guarantee the bonds, debentures or other securities issued by a company incorporated at the present session of the Parliament of Canada, under the name of "The Grand Trunk Pacific Branch lines Company," upon such terms as are specified in a by-law passed by the directors for that purpose and sanctioned by a vote of not less than two-thirds in value of the shareholders present or represented by proxy and voting at any annual meeting or at a special genneral meeting of the Company duly called for the purpose of considering the said by-law.

1903, c. 122, s. 28 amended.

7. Section 28 of chapter 122 of the statutes of 1903 is amended by adding thereto the following words: " and may guarantee the bonds, debentures or other securities of such other companies."

SCHEDULE.

1. All bonds issued and to be issued under and secured by a deed of trust by way of mortgage made by the Grand Trunk Pacific Railway Company to the Royal Trust Company dated the tenth day of June, 1905, and set forth in schedule A to chapter 98 of the statutes of 1905.

2. All bonds issued and to be issued under and secured by a deed of trust by way of mortgage made by the Grand Trunk Pacific Railway Company to the National Trust Company, Limited, dated the fifteenth day of March, 1905, and set forth in schedule B to the said chapter 98 of the statutes of 1905.

3. All bonds issued and to be issued under and secured by a deed of trust by way of mortgage made by the Grand Trunk Pacific Railway Company to the National Trust Company, Limited, dated the fifteenth day of March, 1905, and set forth in schedule C to the said statutes of 1905.

4. The mortgage to be made by the Grand Trunk Pacific Railway Company in pursuance of paragraph 35 (*c*) of the schedule to chapter 71 of the statutes of 1903.

No. 84.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Grand Trunk Pacific Railway Company.

First reading, April 5, 1906.

(PRIVATE BILL.)

MR. MCCARTHY.
(North Stmcoe.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 85.] **BILL.** [1906.

An Act for the enfranchisement of Jamieson Webster Lewis, an Indian of the Moravian Band of the Thames, in the Province of Ontario.

WHEREAS Jamieson Webster Lewis, an Indian of the Moravian Band of the Thames, in the province of Ontario, on or about the twenty-first day of July, in the year one thousand eight hundred and ninety-nine, duly made application to the Superintendent General of Indian Affairs to be enfranchised pursuant to the provisions of The Indian Act, being chapter 43 of the Revised Statutes; and whereas proceedings were thereupon taken in intended compliance with such provisions, but such proceedings were defective and irregular, and no location ticket was issued under such provisions to the said Jamieson Webster Lewis as a probationary Indian for the land occupied by him or any portion thereof; and whereas the conduct of the said Jamiseon Webster Lewis since his said application has been satisfactory, and it is expedient to make provision for his enfranchisement notwithstanding such defects and irregularities: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. R.S.C., c. 43.

1. There may be granted to the said Jamieson Webster Lewis, in fee simple, in the form and manner provided by section 87 of The Indian Act, the land occupied by him on the reserve of the said Moravian Band of the Thames, or such portion thereof as appears to the Superintendent General of Indian Affairs to be fair and proper. Land on reserve may be granted to J. W. Lewis.

2. The letters patent making such grant may be issued to and received by the grantee in his said name and surname of Jamieson Webster Lewis, and shall have the same effect as if all the proceedings prescribed by the said Act had been regularly taken, and such letters patent had been issued in due course thereunder. Enfranchisement proceedings made regular.

3. The said Jamieson Webster Lewis may be paid his share of the capital at the credit of the said band, and his share of the principal of the annuities of the said band, at any time after the passing of this Act, upon the order of the Governor in Council made upon a report of the Superintendent General of Indian Affairs, and thereupon subsection 4 of section 88A of the said Act, as enacted by section 4 of chapter 35 of the statutes of 1895, shall apply to him. Payment of share of capital of band. 1895, c. 35, s. 4 to apply.

No. 85.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act for the enfranchisement of Jamieson Webster Lewis, an Indian of the Moravian Band of the Thames, in the Province of Ontario.

First reading, April 5, 1906.

Mr. Oliver.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

[No. 86] **BILL.** [1906.

An Act respecting the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company.

Preamble.

WHEREAS the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1883, c. 72; 1885, c. 60; 1887, c. 23; 1889, c. 5; 1890, c. 82; 1892, c. 57.

Power to issue debenture stock.

1. The directors of the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company, hereinafter called "the Company," after the authority of the shareholders to them given by at least two-thirds of the votes of the shareholders present or represented at a special general meeting duly called for the purpose, may issue debenture stock to the amount of twenty thousand dollars per mile in lieu of bonds which the Company is now authorized to issue, payable either in Canadian currency or in sterling money of Great Britain.

Description of stock.

2. The said debenture stock may be either perpetual or terminable, and may be executed in such form and with such provisions as to issue, transfer and registration and with such rights and privileges as are determined by the directors.

What property to be charged with stock.

3. The said debenture stock when created shall, subject to the priorities of any other prior charges then existing and subject to the payment of all penalties imposed for non-compliance with the requirements of the Railway Act, 1903, respecting returns to be made to the Minister of Railways, and to the payment of the working expenses, as defined by the said Act, be and become a first charge upon and over that part of the Company's railway at present constructed, and upon all works, plants, betterments, property and effects of the Company appertaining or belonging to such portion of the Company's railway, including all rentals arising therefrom, save and except however the land and cash subsidies granted by special Acts respecting the Company and any lands not required or which at any time cease to be required by the Company in connection with its railway business.

1885, c. 60; 1887, c. 23; 1889, c. 5.

How stock may be disposed of.

4. The said debenture stock or any part thereof may be applied for the purpose of acquiring, redeeming or exchanging it for bonds or other existing obligations of the Company already in existence, upon such terms as are agreed upon between the

Company and the holders of such bonds or obligations; or the directors may issue and sell or pledge all or any of the said debenture stock, at the best price and upon the best terms and conditions which at the time they are able to obtain, for the purpose of raising money for redeeming the said bonds or paying obligations of the Company or otherwise.

Provisions respecting issue, transfer, etc.

5. The directors may by by-law prescribe the amounts in which, or in multiples of which, the said debenture stock shall be issued, and the rate of interest thereon, and the dates and places at which the interest shall be payable, and make provision for the convenient transfer and registration of the said debenture stock either in Great Britain or in Canada, and the due exercise of the remedies of the holders of the said debenture stock, and all matters incidental to the said issue and its protection and general management; and such by-law shall form the basis of the issue of the said debenture stock, and shall not be altered in any way affecting the interests of the holders, otherwise than as therein provided, and a certified copy of such by-law, authenticated by the seal of the Company, shall be deposited for reference in the office of the Secretary of State of Canada.

Agreements with other companies.

6. Any agreement provided for in section 281 of the Railway Act, 1903, may be entered into between the Company and any other railway company.

No. 86.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. CARVELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 87] **BILL.** [1906.

An Act to incorporate the Vancouver, Fraser Valley and Southern Railway Company.

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

1. Ernest B. Hermon, Charles H. Macaulay and Viggo Laursen, all of the city of Vancouver, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Vancouver, Fraser Valley and Southern Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

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

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

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

7. The number of directors shall not be less than three and not more than seven, one or more of whom may be paid directors. Number of directors.

8. The Company may lay out, construct and operate, by steam, electricity, gasoline or any other motive power, a railway of the gauge of four feet eight and one-half inches, from a point in or near the city of Vancouver to a point in or near the city of New Westminster, thence in a southerly direction to a point on the international boundary line, at or near the town of Blaine, in the state of Washington, one of the United States; and also from some point south of and near the Fraser River, in an easterly direction up the Fraser Valley, to a point in or near the town of Chilliwack; and also from some Line of railway described.

point south of and near the Fraser River, in a westerly direction to a point at or near the Fraser River in the municipality of Delta.

Powers: Development of water powers, etc.

9. The Company may acquire, utilize and develop such lands water power, rights, easements, and privileges, and construct, acquire, maintain and operate such dams, reservoirs, buildings and works, as are deemed advisable for the generation, transmission and distribution of electricity for light, heat, power or any other purpose in connection with the railway, and may supply, sell or otherwise dispose of any surplus water, electricity, electric or other power so developed or generated and not required for the purposes of the Company; may take, hold, and dispose of shares in, and enter into agreements with, any company incorporated for any of the purposes aforesaid; may construct, maintain and operate lines of wires, poles, tunnels, conduits and other works in the manner and to the extent required for such purposes; may conduct, store, sell and supply electricity and other power; and, with such lines of wire, poles, conduits, motor or other conductors or devices, may conduct, convey, furnish or receive such electricity to or from any person at any place through, over, along or across any highway or street along its right of way.

Construction of dams and buildings for electricity.

Shares in other companies.

Telegraph and telephone lines.

10. The Company may construct and operate telegraph and telephone lines upon and along its railway and branches, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor; and for the purposes of operating such telegraph or telephone lines the Company may enter into contracts, with any companies having power to construct or operate telegraph or telephone lines for the exchange or transmission of messages or for the working, in whole or in part, of the lines of the Company.

Rates to be approved.

2. No tolls 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 tolls or charges have been approved of by the Governor in Council, and such tolls and charges shall be subject to revision from time to time by the Governor in Council.

R.S.C. ,c. 132

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

Lease of and running powers over other railways.

11. The Company may enter into a lease of or acquire running powers over, or the right to work the line of, or enter into working arrangements with, any other railway company in Canada which has been or is hereafter empowered by the Parliament of Canada to make or grant the same to or with the Company, or may acquire by purchase the whole or any part of the railway and appurtenances of any other railway company so empowered to sell the same to the Company; and any agreement, lease or conveyance made or entered into in pursuance of this enactment may be for such periods, for such price, and upon such terms and conditions, as are from time to time agreed upon by the boards of directors of the respective companies, and shall be as valid and effectual as if it had been set out and specially authorized and confirmed by this Act: Provided, how-

ever, that every such transaction shall be subject to the approval of two thirds of the votes of the shareholders of the Company present or represented by proxy at an annual meeting or at a special general meeting duly called for that purpose; and thereafter the Company may acquire and hold shares, bonds or other securities of such other companies. Approval of shareholders.

12. Subject to the provisions of sections 281 to 283, both inclusive, of the Railway Act, 1903, the Company may enter into agreements with any other railway company empowered for any of the purposes specified in the said section 281. Agreements with other companies.

13. The securities issued by the Company shall not exceed twenty-five thousand dollars per mile of the railway, and twenty-five thousand dollars per mile additional for each mile double-tracked, and may be issued only in proportion to the length of railway constructed or under contract to be constructed. Issue of securities.

14. The Company may connect with, and make traffic arrangements with respect to, and arrange for the running of its cars or trains over, any line of railway in the state of Washington, one of the United States. Connections with other railways.

No. 87.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Vancouver, Fraser Valley and Southern Railway Company.

First reading, April 6, 906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 88.] **BILL.** [1906.

An Act respecting *La Compagnie d'Assurance Mutuelle contre le feu des Comtés de Rimouski, Temiscouata et Kamouraska*, and to change its name.

Preamble.

WHEREAS *La Compagnie d'Assurance Mutuelle contre le feu des Comtés de Rimouski, Temiscouata et Kamouraska* has by its petition represented that it is incorporated under the authority of chapter 68 of the Consolidated Statutes for Lower Canada and articles 5264 to 5375 of the Revised Statutes of the province of Quebec, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Con. Stat. L. C., c. 68; R.S.Q.

Declaratory.

1. *La Compagnie d'Assurance Mutuelle contre le feu des Comtés de Rimouski, Temiscouata et Kamouraska*, hereinafter called "the Company," as now organized and constituted under the statutes mentioned in the preamble, is declared to be a body corporate and politic within the legislative authority of the Parliament of Canada; and this Act and the Insurance Act shall, upon the Company obtaining a license under the Insurance Act, apply to the Company and its business, instead of the Acts mentioned in the preamble: Provided that nothing in this section shall affect anything done, any right or privilege acquired, or any liability incurred under any of the above mentioned Acts up to and at the time of the passing of this Act, to all of which rights and privileges the Company shall continue to be entitled, and to all of which liabilities the Company shall continue to be subject.

R. S. C., c. 124.

Proviso.

Name changed.

Existing right ssaved

2. The name of the Company is hereby changed to "The Rimouski Fire Insurance Company," or, *La Compagnie Rimouski d'Assurance contre l'incendie*, but such change in name shall not in any way impair, alter, or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing officers continued.

3. The officers and directors of the Company elected or appointed under the authority of any of the said Acts shall continue to be the officers and directors of the Company until their successors are lawfully elected or appointed under this Act.

Contracts, etc., made under prior Acts.

4. All acts lawfully done, and all contracts, agreements and instruments in writing heretofore lawfully made, entered into or executed by or on behalf of the Company, or in relation thereto, with respect to the undertaking of the Company, under the authority of any of the Acts mentioned in the preamble, are confirmed and declared to be valid and binding upon the Company and upon all other parties thereto.

Mutual insurance members

Voting powers.

5. Every policy holder, other than those on the non-mutual or wholly cash premium plan, shall be a member of the Company (all such members being hereinafter referred to as "mutual insurance members") and shall be entitled, at all meetings of the Company, to the number of votes proportioned to the amount of his deposit or premium notes held by the Company, that is to say, one vote for the whole amount of such deposit or premium notes up to one hundred dollars, and one additional vote for any amount between one hundred dollars and two hundred dollars, and one additional vote for every additional one hundred dollars.

Capital stock.

6. The directors of the Company may, by law, or the Company may by resolution passed at any annual or special general meeting duly called for the purpose, raise a capital stock of not less than one hundred thousand dollars and not more than ten million dollars, in shares of ten dollars each,

Prior right of shareholders and members to subscribe for shares.

7. Before any shares of the capital stock are offered for subscription by the public, the directors shall, by notice in writing, mailed, postage prepaid, to each shareholder and mutual insurance member at the address which appears on the books of the Company, offer such shares to each shareholder and mutual insurance member, who may, at any time within three months after the mailing of such notice as aforesaid, subscribe for such shares subject to the qualifications mentioned in subsection 2 of this section; provided that the directors may extend the said time for a further period of three months at any time, but so that the whole period of such extension shall not exceed nine months from the mailing of the said notice as aforesaid.

Right of policy holders to subscribe.

2. A policy holder of the Company under the mutual system may subscribe for the said capital stock in proportion to the amount of his premium or deposit notes held by the Company on the day of one thousand nine hundred and ; and should the premium or deposit notes of any such member, according to the amount fixed by the directors, entitle him to a fractional part of a share, or to one or more shares and a fractional part of a share, then such fractional part shall entitle him to subscribe for an entire share.

Shareholders to be members.

8. Each holder of shares in the capital stock at the time of the passing of this Act, and each new subscriber upon allotment to him of one or more shares of the capital stock authorized by this Act, shall be equally members of the Company, and shall have all the incidental rights, privileges and liabilities; but no member of the Company shall at any time hold more than one thousand shares of the said capital stock, in any capacity.

9. The said shares shall be transferable, but no transfer shall be valid unless made in the transfer books of the Company, and no tranfer shall be valid while any call remains due and unpaid; provided that the Company shall have a lien upon such shares for all unpaid calls, and for all debts due by the shareholder to the Company. Transfer of shares.

10. When any call, debt or other liability is due and remains unpaid for such period as the directors determine, they may, upon one month's notice given to the shareholder in default, by registered letter sent to his address, or after six months' notice given to his executors or administrators by registered letter sent to the address of such executor or administrator, sell the shares, or a sufficient part thereof to satisfy such call, debt or liability of the shareholder in default, and they may transfer the shares so sold to the purchaser thereof. Sale of shares of holders in default.

11. The directors may also, when a call upon shares remains unpaid for one month, and after giving the notice prescribed in the last preceding section, declare such shares, and all amounts previously paid by the shareholder, forfeited to the Company, and they may sell and re-issue the shares so forfeited upon such terms and conditions as they deem advisable. Forfeiture of shares on default.

12. So soon as shares to the amount of one hundred thousand dollars, at least, of the said capital stock have been *bona fide* subscribed, and ten per cent thereon have been paid by the shareholder, and so soon as the Company has obtained the necessary license under The Insurance Act, this Act shall come into force, and the Company may insure against loss or damage by fire or lightning upon the mutual as well as upon the non-mutual or wholly cash system, in the various provinces of Canada; but no insurance made under the non-mutual or wholly cash system shall render the assured liable to contribute in any way to the funds or expenses of the Company beyond the amount of the premium agreed upon. When Act to come into force.

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

14. The Company may also accept from other companies insurances and re-insurances of the risks of such companies. Risks of other companies.

15. The net annual profits and gains of the Company (not including the premium or deposit notes) shall be applied, first, to setting aside a dividend upon the paid-up capital, which dividend shall be placed to the credit of the said shares respectively, and such dividend shall not be paid to the holders of such shares so long as such amount does not reach twenty-five per cent of the par value, but such dividend shall be then paid to the holders of the said shares, that is to say, when the amount at their credit reaches one-fourth part of the capital subscribed, including the ten per cent paid by the shareholders themselves, after which the dividend may be paid to the shareholders by resolution of the directors, and the balance of the said profits, if any, shall be carried to a reserve fund or to profit Application of profits.

and loss account, or to both of them, in order to provide for future contingencies.

Number of directors.

16. The board of directors shall consist of not less than six nor more than eighteen members, a majority of whom shall be a quorum.

Qualification of certain directors.

17. During the year in which this Act comes into force, at least two-thirds of the directors shall be holders of shares of the said capital stock to the amount of at least five hundred dollars each, upon which all calls have been paid.

Personnel of directorate.

18. The said two-thirds of the directors shall be elected by the votes of the shareholders, and the other one-third shall be composed of mutual insurance members of the Company, and be elected by such members.

Certain directors to carry insurance.

2. Every such mutual insurance member, while he holds the office of director, shall hold insurance in the Company to at least the sum of one thousand dollars.

Powers of directors.

19. The directors shall have the management of the Company, its property and funds, and may make such by-laws, subject to the provisions of this Act and not inconsistent with or contrary to law, as are necessary to accomplish the purpose and intention of this Act and to give effect to its provisions.

Composition of Company.

20. When the capital stock authorized by this Act has been subscribed and ten per cent has been paid thereon, the Company shall be composed of (*a*) holders of the said capital stock, and, (*b*) mutual insurance members.

Voting powers restricted.

21. Each shareholder, at meetings of the Company, shall have a vote for each share held by him; but no shareholder or person acting as the proxy of a shareholder shall have more than one thousand votes upon his own shares or upon those of the person whom he represents by proxy, or upon both together.

R. S. C., c. 118, to apply.

22. 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 of the Insurance Act or of this Act.

No. 88.

2nd Session, 10th Parliament, 6 Edward VII

BILL.

An Act respecting *La Compagnie d'*
ance Mutuelle contre le jeu des Com
Rimouski, Temiscouata et Kamou
and to change its name.

First reading, April 6, 1906.

(PRIVATE BILL.)

Mr. Ross,
(Rimous

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majes
1906

No. 89.] **BILL.** [1906.

An Act to incorporate the Ashcroft, Barkerville and Fort George Railway Company.

Preamble.

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

Incorporation

1. E. L. Drewry, Herbert Crowe and Conrad S. Riley, of the city of Winnipeg, David MacEwen Eberts and Harold Despard Twigg, of the city of Victoria, together with such persons as become shareholders in the company, are incorporated under the name of "The Ashcroft, Barkerville and Fort George Railway Company," hereinafter called the Company.

Corporate name.

Declaratory.

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

Provisional directors.

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

Capital stock

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

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

Annual meeting.

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

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from some point at or near Ashcroft or Kamloops, or some point between those places, thence northward following the valley of the Bonaparte River, hence *via* Lac la Hache and the Quesnelle River to Fort George, or by such other route to Fort George as is found desirable; and may construct a branch line to Barkerville; and may also build and operate an extension from any point on its line to connect with the Grand Trunk Pacific Railway.

Issue of securities.

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

Agreement with other companies.

10. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company and the Edmonton, Yukon and Pacific Railway Company.

No. 89.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Asheroft, Barkerville and Fort George Railway Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

Mr. Ross.
(Yale-Cariboo.)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 90.] **BILL.** [1906.

An Act to incorporate the International Life Insurance Company.

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

1. Thomas Crawford, John Dawson Montgomery, Charles C. Van Norman, Allen Baines and Harley Lorenzo Pierce, 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 International Life Insurance Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act, together with such persons, not exceeding ten, as they associate with them, shall be the 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 shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and shall withdraw the same for the purposes only of the Company, and may do generally what is necessary to organize the Company. Provisional directors. Powers.

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

4. 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 Company from time to time determines by by-law. Head office.

2. The directors may, from time to time, establish branches, sub-boards or agencies, either within Canada or elsewhere. Branch offices.

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

Election of shareholders' directors.

sent or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect not more than nine directors, hereinafter called "shareholders' directors."

Qualification.

2. No person shall be a shareholders' 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.

Policy holders' directors.

3. In addition to the shareholders' directors there shall be elected by the policy-holders at the first annual meeting after the commencement of business, and at each subsequent annual meeting, six directors, hereinafter called "policy-holders' directors," if there be policy-holders qualified as hereinafter mentioned and willing to act as such directors.

Qualification.

4. A policy-holder who is a male of the age twenty-one years, whose policy or policies in force on his own life amount to five thousand dollars or upwards, exclusive of bonus additions or profits, and who has paid all premiums then due thereon, shall be eligible for election as a policy-holders' director.

Quorum.

5. At all meetings of the directors a majority thereof shall be a quorum for the transaction of business.

President and vice-presidents.

6. The directors shall elect from among themselves a president of the Company and one or more vice-presidents.

Calls on stock.

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

Annual 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.

Notice of annual meeting.

9. Notice of the annual meeting shall be given by publication in two issues of the *Canada Gazette* at least fifteen days prior thereto, and also in six consecutive issues of a daily newspaper published at the place where the head office of the Company is situate, and such notice shall intimate that participating policy-holders may, in accordance with the provisions of this Act, vote for and elect six directors.

Voting.

10. At all general meetings of the Company each shareholder present or represented by proxy who has paid all calls due upon his shares in the capital stock of the Company, shall

have one vote for each share held by him. Every proxy must be himself a shareholder and entitled to vote. Proxies.

11. The Company may effect contracts of life insurance with any persons, and may grant, sell or purchase life annuities, grants and endowments, depending upon the contingency of human life, and generally carry on the business of life insurance in all its branches and forms. Business of Company.

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

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

14. All persons who are actual holders of policies from the Company on their own lives for one thousand dollars or upwards, whether such persons are shareholders of the Company or not, and who are by the terms of their policies entitled to participate in profits, and are referred to in this Act as holders of participating policies, shall be members of the Company and be entitled to attend and vote in person or by proxy at all general meetings of the Company, and every holder of a participating policy of the Company for a sum not less than one thousand dollars shall be entitled to one vote for each one thousand dollars in his policy; but policy-holders, as such, shall not be entitled to vote for the election of shareholders' directors. Participating policy-holders.

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

15. Whenever any holder of a policy other than a term or natural premium policy has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited but he shall be entitled to receive a paid-up and commuted policy for such sum as the directors ascertain and determine, or to, be paid in cash such sum as the directors fix as the surrender value of the policy, such sum in either case to be ascertained upon principles to be adopted by by-law applicable generally to all Paid up policies issued in certain cases.

such cases as may occur: Provided that if such paid-up and commuted policy or such cash payment is not demanded while such original policy is in force or within twelve months after default has been made in payment of a premium thereon, the Company shall, without any demand therefor, either issue such paid-up and commuted policy, or pay to or place to the credit of the policy holder such cash surrender value.

R.S.C., c. 118.

16. The Companies Clauses Act, except sections 7, 18, 39 and 41 thereof, shall apply to the Company in so far as the said Act is not inconsistent with any provisions of this Act or of the Insurance Act: Provided, however, that the Company may make loans to its shareholders or policy-holders, not being shareholders' directors, on the securities mentioned in the Insurance Act.

Proviso as to loans.

R.S.C., c. 124.

17. This Act, and the Company, and the exercise of the powers hereby conferred, shall be subject to the provisions of the Insurance Act.

No. 90.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the International Life Insurance Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. PARDEE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 91.] **BILL.** [1906.

An Act to incorporate the Minesota-Canadian Bridge Company.

Preamble.

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

Incorporation.

1. David Blythe Hanna, Zebulun Aiton Lash, Gerard G. Ruel, Francis Charles Annesley and William Henry Moore, all of the city of Toronto, together with such persons as become shareholders in the company, are incorporated under the name of "Minnesota-Canadian Bridge Company," hereinafter called "the Company."

Corporate name.

Directors.

2. The persons named in section 1 of this Act shall be the first directors of the Company, of whom three shall be a quorum.

Capital stock.

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

Head office.

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

Powers of Company.

Bridge.

5. The Company may—

(*a*) acquire, construct, maintain and operate a railway bridge or railway and general traffic bridge with the approaches and facilities required therefor over the Rainy River from a point at or near Pither's Point which is near Fort Frances, in the province of Ontario, to a point in the State of Minnesota, and may construct and arrange the bridge and approaches and facilities for the passage of railway trains, vehicles, pedestrians and for general traffic purposes, and may charge tolls for the use of said bridge, approaches and facilities;

Lands.

(*b*) acquire by purchase, lease or otherwise such lands and interests therein as may be deemed necessary for any of the aforesaid purposes, and may sell, lease or dispose thereof.

When bridge may be commenced.

6. The Company shall not commence construction of the said bridge until plans thereof and the proposed site of the bridge have been submitted to and approved of by the Governor in Council, and such conditions as he thinks fit to impose touching said bridge have been complied with.

Tolls to be approved.

7. The directors may fix and regulate the tolls to be charged; provided that such tolls shall be equal to all persons and companies using the said bridge, approaches and facilities, and the tolls charged by the Company shall first be approved by the Board of Railway Commissioners for Canada, who may revise them from time to time, and so long as all companies and persons are charged equal rates and are given equal terms and facilities the directors may, if they think proper, charge less than the said rates.

Agreement with United States company respecting bridge.

8. The Company may unite with any company incorporated under the laws of the state of Minnesota, or of the United States, or elsewhere, in acquiring, constructing, maintaining and operating the said bridge, approaches and facilities in Ontario or Minnesota, and may make agreements with such company respecting the acquisition, construction, maintenance and operation thereof, and may make agreements with such company respecting the conveyance or leasing of the said bridge, approaches and facilities, or any property, rights, powers or franchises of the Company to such company in whole or in part, or for an amalgamation with such company on such terms and conditions as may be agreed upon: Provided that any amalgamation agreement shall be first approved by a two-thirds vote at a special general meeting of the shareholders of the Company duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the subscribed or issued stock are present or represented by proxy: Provided also that such agreement has received the sanction of the Governor in Council.

Amalgamation agreement.

9. Upon an amalgamation agreement being sanctioned by the Governor in Council under the last preceding section, the companies parties to such agreement shall be amalgamated and shall form one company under the name and upon the terms and conditions in such agreement provided and the amalgamated company shall possess and be vested with the undertakings, powers, rights, privileges, franchises, real, personal and mixed, belonging to, possessed by or vested in the companies parties to such agreement or either of them, or to which they or either of them may be or become entitled, and shall be liable for all claims, demands, rights, securities, causes of action, complaints, debts, obligations, works, contracts, agreements or duties to as full an extent as the said companies or either of them were at the time said amalgamation took effect.

Borrowing powers.

Issue of securities.

10. The directors may borrow money on behalf of the Company, and may, in the manner prescribed by sections 111 and 112 of the Railway Act, 1903, issue and secure, sell or pledge bonds, debentures and other securities to an amount not exceeding three hundred thousand dollars; and should the Company unite with another company in acquiring, or constructing the said bridge, approaches and facilities as authorized by section 8 of this Act, the Company may join with such other company in making, issuing, securing, selling or pledging bonds, debentures and other securities; provided the total thereof jointly

issued shall not exceed six hundred thousand dollars. The mortgage deed securing such bonds shall be deposited in the office of the Secretary of State of Canada of which deposit notice shall be given in the *Canada Gazette*, and no other registration or filing of such mortgage shall be required.

Deposit of mortgage securing bonds.

11. In case the state of Minnesota or the United States shall, at any time after the final completion of the bridge, provide for the appointment of a commission for regulating the working of the said bridge, the use thereof, and the compensation to be made therefor and for settling any dispute in respect thereof, the Governor in Council may join in the appointment of the said commission on such terms as he thinks proper, and the commissioners to be appointed by him shall equal in number at least all the other commissioners; and in the event of any such appointment the said commissioners shall have the power hereby conferred on the Board of Railway Commissioners for Canada.

Joint Commission for managing bridge.

12. The said bridge shall be commenced within two years after the Governor in Council and the Executive of the United States, or other competent authority therein, has approved such bridging, and shall be completed within five years thereafter, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within five years after the passing of this Act the powers granted for the construction of the said bridge shall cease and be null and void.

Time for construction of bridge limited.

Proviso.

13. Sections 18, 39 and 41 of the Companies Clauses Act shall not apply to the Company, and it shall not be necessary that the majority of the directors shall be resident in Canada and subjects of His Majesty.

R.S.C., c. 118.

14. The following sections of the Railway Act, 1903, namely, 118 to 194, both inclusive, 206 to 210, both inclusive, and 242 shall, so far as applicable and except as they are extended, limited or qualified hereby, apply to the Company, and wherever in the said sections the word "railway" occurs it shall, for the purposes of the Company and unless the context otherwise requires, mean the said bridge, approaches and facilities.

1903, c. 58.

No. 91.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An **Act** to incorporate the Minesota-Canadian Bridge Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. DYMENT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 92.] **BILL.** [1906.

An Act respecting the Essex Terminal Railway Company.

Preamble.

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

1902, c. 62; 1904, c. 76.

1902, c. 62, new s. 5.

1. Section 5 of chapter 62 of the statutes of 1902, being an Act to incorporate the Essex Terminal Railway Company, is repealed, and the following is substituted therefor:—

Head office.

"**5.** The head office of the Company shall be in the town of Walkerville, in the county of Essex."

Time for construction extended.

2. The construction of the railway of the said company may be commenced within two years after the passing of this Act, and the said railway shall be finished and put in operation within five years after the passing of this Act; and if the said railway is not so commenced or is not finished and put in operation within the said respective periods, then the powers granted to the said company shall cease and be null and void as respects so much of the railway as then remains uncompleted.

1904, c. 76, s. 4 repealed.

3. Section 4 of chapter 76 of the statutes of 1904 is repealed.

No. 92.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Essex Terminal Railway Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. CLARKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 93.] **BILL.** [1906.

An Act to incorporate the Alberta Northern Railway and Coal Company.

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

1. John H. Hanna and William J. Stokes, both of the city of Calgary, in the province of Alberta, James P. Rice, of Red Deer, in the province of Alberta, Oscar U. Macmicking, of the town of Lethbridge, in the province of Alberta, and John Henry Coburn, of the town of Walkerville, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "the Alberta Northern Railway and Coal 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 two million dollars. No one call thereon shall exceed ten per cent of the shares subscribed. Capital stock.

5. The head office of the Company shall be in the city of Calgary, in the province of Alberta. Head office.

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

7. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors. 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 or near the town of Lethbridge, thence northwesterly to a point at or near High River, thence northerly to a point in or near the city or Calgary, thence northerly and to the west of the Edmonton branch of the Canadian Pacific Railway to a point in or near the city of Edmonton; also branch lines to Red Deer and Wetaskiwin, and from any other point or points on the proposed lines, not exceeding in any one case thirty miles in length. Line of railway described.

Miscellaneous powers.

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

(*a*) construct, acquire, own and maintain vessels, boats and ferries, and operate them upon any lakes and rivers connecting with or adjacent to the proposed line of railway;

(*b*) carry on the business of expressmen, forwarding agents, wharfingers and warehousemen;

(*c*) acquire and utilize water powers and dispose of surplus power, either directly or by converting it into electricity;

(*d*) acquire lands and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy;

(*e*) build and maintain power-houses and stations for the development of electric force and energy.

Telegraphs and telephones.

10. The Company may construct, acquire and operate telegraph and telephone lines upon its railway, and, for the purpose of operating such lines or exchanging or transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C., 132.

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

Issue of securities.

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

Agreements with other companies.

12. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company and the Alberta Railway and Irrigation Company.

No. 93.

2nd Session, 10th Parliament, 6 Edward V

BILL.

An Act to incorporate the Al
Northern Railway and
Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. CL

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Ma
1906

No. 93.] **BILL.** [1906.

An Act to incorporate the Alberta Northern Railway and Coal Company.

Preamble.

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

Incorporation.

Corporate name.

1. Owen McKay, Alexander Leslie, Bruce Harrison, Hugh McDowell and John Henry Coburn, all of the town of Walkerville, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "the Alberta Northern Railway and Coal Company," hereinafter called "the Company."

Declaratory.

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

Provisional directors.

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

Capital stock.

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

Head office.

5. The head office of the Company shall be in the city of Calgary, in the province of Alberta.

Annual meeting.

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

Directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in or near the town of Lethbridge, thence north-westerly to a point at or near High River, thence northerly to a point in or near the city or Calgary, thence northerly and to the west of the Edmonton branch of the Canadian Pacific Railway to a point in or near the city of Edmonton; also branch lines to Red Deer and Wetaskiwin, and from any other point or points on the proposed lines, not exceeding in any one case thirty miles in length.

Miscellaneous powers.

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

(*a*) construct, acquire, own and maintain vessels, boats and ferries, and operate them upon any lakes and rivers connecting with or adjacent to the proposed line of railway;

(*b*) carry on the business of expressmen, forwarding agents, wharfingers and warehousemen;

(*c*) acquire and utilize water powers and dispose of surplus power, either directly or by converting it into electricity;

(*d*) acquire lands and erect, use and manage works and manufacture machinery and plant for the generation, transmission and distribution of electric power and energy;

(*e*) build and maintain power-houses and stations for the development of electric force and energy.

Telegraphs and telephones.

10. The Company may construct, acquire and operate telegraph and telephone lines upon its railway, and, for the purpose of operating such lines or exchanging or transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C., c. 132.

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

Issue of securities.

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

Agreements with other companies.

12. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company and the Alberta Railway and Irrigation Company.

No. 93.

2nd Session, 10th Parliament, 6 Edward VII., 1

REPRINT.

BILL.

An Act to incorporate the Albe
Northern Railway and Coal Company.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. CLARKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 94.] **BILL.** [1906.

An Act respecting the Rio de Janeiro Tramway, Light and Power Company, Limited.

Preamble. 1904, c. 119.

WHEREAS the Rio de Janeiro Tramway, Light and Power Company, Limited, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Issue of share warrants.

1. The Rio de Janeiro Tramway, Light and Power Company, Limited, hereinafter called "the Company," may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide by coupons or otherwise for the payment of the future dividends on the share or shares included in such warrant hereinafter referred to as a "share warrant."

Effect of share warrant.

2. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

3. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled on surrendering such warrant for cancellation to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

To what extent bearer is to be deemed shareholder.

Warrant will not qualify bearer as a director.

4. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of the Companies Act, 1902, either to the full extent or for such purposes as is prescribed by the directors, provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to be entered in register.

5. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share

or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars,—

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share or shares included in the warrant;

(*c*) the date of the issue of the warrant;

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required by section 74 of the Companies Act, 1902, to be entered in the books of the Company in respect of such share or shares; and on the surrender of a warrant, the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

1902, c. 15, s. 74.

Date of surrender to be entered.

Power to directors to vary conditions of issue.

6. The directors may determine, and from time to time vary, the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Power to guarantee securities of other corporations controlled by Company.

7. The Company may guarantee the payment of the principal and interest or part thereof of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be in the form set out in the schedule to this Act or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by the Rio de Janeiro Tramway, Light and Power Company, Limited (*here may be set out any special terms or conditions of the guarantee*).

For

THE RIO DE JANEIRO TRAMWAY, LIGHT AND POWER COMPANY, LIMITED.

President (*or other officer duly authorized*).

No. 94.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Rio de Janiero Tramway, Light and Power Company, Limited.

First reading, 6 April, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 95.] **BILL.** [1906.

An Act respecting the Mexican Light and Power Company, Limited.

WHEREAS the Mexican Light and power Company Limited, has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 153.

1. The Mexican Light and Power Company, Limited, hereinafter called " the Company," may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide by coupons or otherwise for the payment of the future dividends on the share or shares included in such warrant hereinafter referred to as a "share warrant." Issue of share warrants.

2. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant. Effect of share warrant.

3. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled on surrendering such warrant for cancellation to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled. Surrender and cancellation entitle to entry as shareholder. Liability of Company for entry without cancellation.

4. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of the Companies Act, 1902, either to the full extent or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company. To what extent bearer is to be deemed shareholder. Warrant will not qualify bearer as a director.

5. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars,— Particulars to be entered in register.

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share or shares included in the warrant;

(*c*) the date of the issue of the warrant;

1902, c. 15, s. 74.

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required by section 74 of the Companies Act, 1902, to be entered in the books of the Company in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of surrender to be entered.

Power to directors to vary conditions of issue.

6. The directors may determine, and from time to time, vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Power to guarantee securities of other corporations controlled by Company.

7. The Company may guarantee the payment of the principal and interest or part thereof of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be the form set out in the schedule to this Act, or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bonds (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by the Mexican Light and Power Company, Limited (*here may be set out any special terms or conditions of the guarantee*).

For

THE MEXICAN LIGHT AND POWER COMPANY, LIMITED.

President (*or other officer duly authorized*).

No. 95.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Mexican Light and Power Company, Limited.

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA

Printed by S. E. DAWSON

Printer to the King's most Excellent Majesty

1906

No. 96.] **BILL.** [1906.

An Act respecting the Mexican Consolidated Electric Company, Limited, and to change its name to "Mexican Tramway and Electric Company."

WHEREAS the Mexican Consolidated Electric Company, Limited, heretofore known as the Yucatan Power Company, Limited, has by its petition represented that it is incorporated under the provisions of the Companies Act, 1902, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1902, c. 15.

1. The name of the Mexican Consolidated Electric Company, Limited, hereinafter called "the Company," is changed to "Mexican Tramway and Electric Company," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Name changed. Existing rights saved.

2. Subject to the laws in force in the Republic of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the Republic of Mexico, survey, lay out, construct, complete, maintain and operate, and from time to time extend, remove and change as required, double or single, iron or steel railways and branches, side tracks, turnouts and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways, and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company, also telegraph and telephone lines and works in connection therewith, and allow the use of the said railways and other works by lease, license or otherwise for reward, and take, transmit and carry for reward telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by force or power of animals, or by steam, pneumatic, electric or mechanical power, or by a combination of them, or any of them, and also may there acquire by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and maintain and operate for reward any existing or future lines of railway, tram- Powers of Company in Republic of Mexico. Railways. Tramways. Telegraphs. Telephones. Carriers. Acquisition of properties of other companies.

way, telegraph and telephone; and for all or any of the purposes aforesaid the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Power to guarantee securities of other corporations controlled by Company.

3. The Company may guarantee the payment of the principal and interest or part thereof of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be in the form set out in the schedule hereto or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by the Mexican Tramway and Electric Company (*here may be set out any special terms or conditions of the guarantee*).

For

MEXICAN TRAMWAY AND ELECTRIC COMPANY.

President (*or other officer duly authorized.*)

No. 96.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Mexican Consolidated Electric Company, Limited, and to change its name to "Mexican Tramway and Electric Company."

First reading, April 6, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 97.] **BILL.** [1906.

An Act to amend the Act respecting the Senate and House of Commons.

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

1. Section 26 of chapter 11 of the Revised Statutes, intituled an Act respecting the Senate and House of Commons, as that section is enacted by section 3 of chapter 43 of the statutes of 1905, is amended by adding at the end thereof the following words:— R.S.C., c. 11, s. 26 amended. 1905, c. 43, s. 3. Subsection added.

"Provided that each day during the session, after the first day on which the member attends as aforesaid, on which the member is in the place where the session is held but is prevented by sickness from attending any such sitting as aforesaid, shall be reckoned as a day of attendance at such session, for the purposes of such indemnity; and a member shall, for the said purposes, be held to be in the place where the session is held whenever he is within ten miles of such place." In case of sickness when member at place where session is held.

No. 97.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the Senate and House of Commons.

First reading, April 6, 1906.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 98] **BILL.** [1906.

An Act respecting the Central Ontario Railway.

Preamble.

1884, c. 60; 1886, c. 71; 1888, c. 76; 1890, c. 52.

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

Time for construction extended.

1. The Central Ontario Railway may, within five years after the passing of this Act, construct and complete the railways which it has been authorized to construct, provided that as to so much thereof as is not constructed within that period the powers of the said company shall cease and determine.

No. 98.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Central Ontario Railway.

First reading, April 9, 1906.

(PRIVATE BILL.)

MR. NORTHRUP.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 99.] **BILL.** [1906.

An Act respecting the Mather Bridge and Power Company.

Preamble.

WHEREAS the Mather Bridge and Power Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1896 (2nd Sess.), c. 13; 1901, c. 106.

Time extended for obtaining consent of executive of United States.

1. The time limited by section 17 of chapter 13 of the statutes of 1896 (Second Session) for obtaining the consent of the Executive of the United States is extended for five years from the passing of this Act, and if such consent is not given within such time and the works authorized by the said chapter 13 are not completed within the time therein limited after such consent is given, then the powers granted by Parliament for the construction of the said works shall cease and be null and void.

Rights of Province of Ontario not affected.

2. Nothing in the said Act or in this Act shall affect the rights of the province of Ontario over the ungranted lands belonging to the said province or the water flowing over them.

No. 99.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Mather Bridge and Power Company.

First reading, April 9, 1906.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 100.] **BILL.** [1906.

An Act respecting the Alberta Railway and Irrigation Company.

Preamble.

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

1904, c. 43; 1905, c. 52.

Time for construction of railways extended.

1. The Alberta Railway and Irrigation Company may, within five years after the passing of this Act, construct and complete the railways which it has been authorized to construct; provided that as to so much thereof as is not constructed within that period the powers of the said company shall cease and determine.

No. 100.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Alberta Railway and Irrigation Company.

First reading, April 9, 1906.

(PRIVATE BILL.)

MR. TURRIFF

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 101.] **BILL.** [1906.

An Act to amend the Fruit Marks Act, 1901.

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

1901 c. 27, new s. 4.

1. Section 4 of chapter 27 of the statutes of 1901, The Fruit Marks Act, 1901, as that section is enacted by section 1 of chapter 10 of the statutes of 1902, is repealed, and the following is substituted therefor:—

Marks on packages.

"**4.** Every person who, by himself or through the agency of another person, packs fruit in a closed package, intended for sale, shall cause the package to be marked in a plain and indelible manner, in letters not less than half an inch in length, before it is taken from the premises where it is packed,—

Packer's name and address.

"(*a*) with the initials of his Christian names, his full surname, and his address, or, in the case of a firm or corporation, with the firm or corporate name and address;

Variety of fruit.

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

Grade.

"(*c*) with a designation of the grade of fruit, which shall include one of the following four marks, viz.: 'Fancy,' 'No. 1,' 'No. 2,' 'No. 3,' but such mark may be accompanied by any other designation of grade or brand, provided that such designation or brand is not inconsistent with, or marked more conspicuously than, the one, of the said four marks, which is used on the said package."

New s. 6.

2. Section 6 of chapter 27 of the statutes of 1901 and section 2 of chapter 10 of the statutes of 1902 are repealed, and the following section is enacted as section 6 of the Fruit Marks Act, 1901:—

False marking of packages.

"**6.** No person shall sell, or offer, expose or have in his possession for sale, any fruit packed in a closed package upon which is marked any designation which represents such fruit as of—

"Fancy" quality.

"(*a*) 'Fancy' quality, unless such fruit consist of well grown specimens of one variety, sound, of uniform and of at least normal size and of good colour for the variety, of normal shape, free from worm holes, bruises, scab and other defects, and properly packed;

"No. 1" quality.

"(*b*) 'No. 1' quality, unless such fruit consist of well grown specimens of one variety, sound, of not less than medium size and of good colour for the variety, of normal shape and not less than ninety per cent free from scab, worm holes, bruises and other defects, and properly packed;

"No. 2" quality.

"(c) 'No. 2' quality, unless such fruit consist of specimens of not less than nearly medium size for the variety, and not less than eighty per cent free from worm holes and such other defects as cause material waste, and properly packed."

Section 9 amended.

3. Section 9 of chapter 27 of the statutes of 1901, as that section is enacted by section 3 of chapter 10 of the statutes of 1902, is amended by substituting for the word "before" in the second line of subsection 3 of the said section, the words "within twenty-four hours after."

No. 101.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Fruit Marks Act, 1901.

First reading, April 9, 1906.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 102.] **BILL.** [1906.

An Act respecting the Schomberg and Aurora Railway Company.

Preamble.

1896 (1st Sess.) c. 34; 1900, c. 81.

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

Time for construction extended.

1. The Schomberg and Aurora Railway Company, hereinafter called "the Company," may within five years after the passing of this Act construct and complete the railways which it has been authorized to construct; provided that as to so much thereof as is not constructed within that period the powers of the Company shall cease and determine.

Branch lines authorized.

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

(*a*) A branch or extension of its railway to a point on Nottawasaga Bay, also

(*b*) A branch or extension of its railway to the town of Bowmanville.

Act of incorporation to apply.

3. All the provisions contained in the Company's Act of incorporation shall apply to the said branch lines.

No. 102.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Schomberg and Aurora Railway Company.

First reading, April 10, 1906.

(PRIVATE BILL.)

MR. CAMPBELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 103.] **BILL.** [1906.

An Act respecting the Quebec and Lake Huron Railway Company.

Preamble

1900, c. 74; 1902, c. 93; 1904, c. 117;

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

1904, c. 117, repealed.

1. Chapter 117 of the statutes of 1904 is repealed.

Time for construction extended.

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

No. 103.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Quebec and Lake Huron Railway Company.

First reading, April 10, 1906.

(PRIVATE BILL.)

MR. LACHANCE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 104.] **BILL.** [1906.

An Act to incorporate the Hamilton, Waterloo and Guelph Railway Company.

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

1. John Patterson, Paul Judson Myler, Henry Norman Kittson, James M. Young and Joseph Donald Cherrier, together with such persons as become shareholders in the company, are incorporated under the name of "The Hamilton, Waterloo and Guelph 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 two million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be in the city of Hamilton, in the county of Wentworth, in the province of Ontario. Head office.

6. The annual meeting of the shareholders shall be held on the second Monday in September. Annual meeting.

7. The number of directors shall be not less than five or more than nine, one or more of whom may be paid directors. Number of directors.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one half inches (*a*) from a point in or near the city of Hamilton, in the county of Wentworth, to a point in or near the village of Elmira, in the county of Waterloo, passing through the towns of Galt, Preston, Berlin and Waterloo; and (*b*) from a point in or near the city of Hamilton, in the county of Wentworth, to a point in or near the towns of Elora and Fergus, in the county of Wellington, and passing through the city of Guelph. Line of railway described.

Steam may be used for construction.

2. Steam may be used for the purpose of constructing the said railway but shall not be used as a motive power for its operation.

Consent of municipality necessary.

9. Notwithstanding anything in the Railway Act, 1903, the Company shall not construct or operate its line of railway along any highway, street or other public place without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed upon with such municipality.

Issue of securities.

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

Telegraph and telephones.

11. The Company may construct and operate telegraph and telephone lines upon its railway, and for the purpose of operating such lines, or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved of by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C. c. 132.

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

Electric current.

12. The Company may manufacture, purchase, sell or lease electric current to any person along its railway.

No. 104.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Hamilton, Waterloo and Guelph Railway Company.

First reading, April 10, 1906.

(PRIVATE BILL.)

MR. ZIMMERMAN.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 105.] **BILL.** [1906.

An Act to incorporate the Sterling Life Assurance Company.

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

1. Joseph Wesley St. John, John William Garvin, Robert James Wilson, William H. Shaw and George Edwin Garvin, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Sterling Life Assurance Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act, together with such persons not exceeding five as they associate with them, shall be the 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 shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and shall withdraw the same for the purposes only of the Company, and may do generally what is necessary to organize the Company. Provisional directors. Powers.

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

4. 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 Company from time to time determines by by-law. Head office.

5. The directors may, from time to time, establish branches, sub-boards or agencies either in Canada or elsewhere. Branches.

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

"Shareholders' directors."

represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect ten directors, hereinafter called "shareholders' directors."

Qualifications.

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

"Policy-holders' directors."

3. In addition to the shareholders' directors there shall be elected by the policy-holders at the first annual meeting after the commencement of business, and at each subsequent meeting, five directors, hereinafter called "policy-holders' directors."

Qualifications.

4. A policy-holder who is a male of the age of twenty-one years, whose policies in force amount to five thousand dollars or upwards, and who has paid all premiums then due thereon, shall be eligible for election as a policy-holders' director.

Quorum.

5. At all meetings of the directors a majority thereof shall be a quorum for the transaction of business.

President and vice-presidents.

6. The directors shall elect from among themselves a president of the Company and one or more vice-presidents.

Payment of shares.

7. 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 day's notice of any call shall be given: Provided that the Company shall not commence the business of insurance until sixty-two thousand five hundred dollars of the capital stock has 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.

Annual 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.

Notice of meeting.

9. Notice of the annual meeting shall be given by publication in two issues of the *Canada Gazette* at least fifteen days prior thereto, and also in six consecutive issues of a daily newspaper published in the city of Toronto, and such notice shall intimate that policy holders may, in accordance with the provisions of this Act, vote for and elect five directors.

Voting.

10. At all general meetings of the Company each shareholder present or represented by proxy who has paid all calls due upon his shares in the capital stock of the Company, shall have one vote for each share held by him. Every proxy must be himself a shareholder and entitled to vote.

Proxy.

Business of Company.

11. The Company may effect contracts of life insurance with any person, and may grant, sell, or purchase life annuities, grant endowments depending upon the contingency of human life, and generally carry on the business of life insurance in all

its branches and forms: Provided however that no participating policies shall be contracted.

Real property.

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

Dividends.

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

Participating policy-holders.

14. All persons who are actual holders of policies from the Company for one thousand dollars or upwards, whether such persons are shareholders of the Company or not, shall be members of the Company and be entitled to attend and vote in person or by proxy at all general meetings of the Company, and every holder of a policy of the Company for a sum not less than one thousand dollars shall be entitled to one vote for each one thousand dollars in his policy; but policy-holders as such shall not be entitled to vote for the election of shareholders' directors.

Husband or father.

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

Paid up policies.

15. Whenever and holder of a policy other than a term or natural premium policy has paid three or more annual premiums thereon and fails to pay any further premium, or desires to surrender the policy, the premiums paid shall not be forfeited, but he shall be entitled to receive a paid-up and commuted policy for such sum as the directors ascertain and determine, or to be paid in cash such sum as the directors fix as the surrender value of the policy, such sum in either case to be ascertained upon principles to be adopted by by-law applicable generally to all such cases as may occur: Provided that if such paid-up and commuted policy or such cash payment is not demanded while such original policy is in force or within twelve months after default has been made in payment of a premium thereon, the Company shall, without any demand therefor, either issue such paid-up and commuted policy, or pay to, or place to the credit of, the policy-holder cash surrender value

R.S.C., c. 118.

16. The Companies Clauses Act, except sections 7, 18, 39 and 41 thereof, shall apply to the Company in so far as the said Act is not inconsistent with this Act or the Insurance Act: Provided, however, that the Company may make loans to its shareholders or policy-holders, not being directors, on the securities mentioned in the Insurance Act.

Proviso as to loans.

R.S.C., c. 124.

17. This Act, and the Company, and the exercise of the powers hereby conferred, shall be subject to the provisions of the Insurance Act.

No. 105.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Sterling Life Assurance Company.

First reading, April 10, 1906.

(PRIVATE BILL.)

MR. LENNOX.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 106.] **BILL.** [1906.

An Act respecting applications for patents of Henry Wurts, Junior.

Preamble.

WHEREAS Henry Wurts, junior, of the city of Newark, in the state of New Jersey, one of the United States, has by his petition represented that he is the legal guardian of the person and property of Henry Wurtz, senior, a lunatic, and has in his capacity as such guardian executed certain applications for patents for inventions made by the said lunatic, which applications have been duly filed in the Patent Office of Canada, on the seventeenth day of February, one thousand nine hundred and six; and whereas the Commissioner of Patents holds that he is unable to act upon the said applications on the ground that there is no provision in the Patent Act for acting upon applications made by the guardian of a lunatic; and whereas the said guardian has by his petition prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commissioner of Patents may receive applications and issue patents.

1. Notwithstanding anything in the Patent Act, the Commissioner of Patents may act upon the applications for patents mentioned in the preamble, filed by the said Henry Wurts, junior, as guardian, or the legal representatives of the said guardian, and may receive and act upon all applications for patents of inventions made by the said lunatic which the said guardian or his legal representatives may execute and file hereafter, and may issue a patent for each application so filed if such patent may otherwise be properly granted.

Priority of applications preserved.

2. It is declared that the applications mentioned in the preamble were properly received and filed as of the date named, and shall have priority as and from that date.

No. 106.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act respecting applications for patents of Henry Wurts, Junior.

First reading, April 10, 1906.

(PRIVATE BILL.)

MR. BELCOURT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 107.] **BILL.** [1906.

An Act respecting the Erie Ontario Power Company.

Preamble. 1903, c. 119.

WHEREAS Donald McGillivray, DeWitt Carter and J. Haven Smith, all of the village of Port Colborne in the county of Welland, and Joseph Battle, of the town of Thorold, in the county of Welland, provisional directors of the Erie Ontario Power Company have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for construction of works extended.

1. The construction of the works of the Erie Ontario Power Company may be commenced within three years and completed within five years after the passing of this Act, and if the said works are not so commenced or are not completed within the said respective periods, the powers of construction shall cease and be null and void as respects so much of the said works as then remains uncompleted.

1903, c. 119, s. 16 repealed.

2. Section 16 of chapter 119 of the statutes of 1903 is repealed.

No. 107.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Erie Ontario Power Company.

First reading, April 10, 1906.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 108.] **BILL.** [1906.

An Act respecting the Kettle River Valley Railway Company.

Preamble.

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

1901, c. 68; 1903, c. 138; 1904, c. 89.

1901, c. 68, s. 4 amended.

1. Section 4 of chapter 68 of the statutes of 1901, incorporating the Kettle River Valley Railway Company (hereinafter called "the Company), as that section is amended by section 1 of chapter 89 of the statutes of 1904, is further amended by striking out the words "three million" and substituting therefor the words " five million."

Capital increased.

Section 8 amended.

2. Section 8 of chapter 68 of the statutes of 1901, as that section is amended by section 2 of chapter 89 of the statutes of 1904, is further amended by adding thereto the following subsection:—

Additional lines of railway.

"3. The Company may also lay out, construct and operate the following lines of railway:—

(*a*) from a point at or near Midway in the province of British Columbia by the most feasible route to Hedley in the Similkameen Valley in the said province;

(*b*) from a point on the line so to be constructed at or near Hedley northerly along Twenty-Mile Creek for a distance of about twenty miles;

(*c*) from a point on the line so to be constructed from Midway to Hedley thence northerly by the most feasible route to Penticton in the province of British Columbia."

Section 10 amended.

Bond issue.

3. Section 10 of chapter 68 of the statutes of 1901 is amended by striking out the words "thirty-five" in the second line of the said section and substituting therefor the word "forty."

Running powers over Columbia and Western Railway.

4. Running powers and rights over the line of railway or any portion thereof constructed or to be constructed by the Columbia and Western Railway Company, together with all its branches or connections or any portion thereof, and all lines owned or hereafter acquired, leased or operated by the Columbia and Western Railway Company or any portion thereof from the junction of the line of the Company with the line of the Columbia and Western Railway Company at Grand Forks in

the province of British Columbia to a junction with the line of the Company at or near Midway in the said province, including the necessary use of the tracks, station and station grounds of the Columbia and Western Railway Company, are hereby vested in the Company, such running powers and rights to be upon such terms as may be agreed upon, and in default of agreement to be determined by the Board of Railway Commissioners for Canada.

Time for construction extended.

5. The Company may construct and put in operation the railways authorised by its Act of incorporation and the amendments thereto within five years after the passing of this Act; and if the said railways are not so constructed and put in operation the powers granted for such construction shall cease and be null and void with respect to so much of the said railways as then remains uncompleted.

1901, c. 68, s. 11 and 1904, c. 89, s. 4 repealed.

6. Section 11 of chapter 68 of the statutes of 1901 and section 4 of chapter 89 of the statutes of 1904 are repealed.

No. 108.

2nd Session, 10th Parliament, 6 Edward VII, 1906.

BILL.

An Act respecting the Kettle River Valley Railway Company.

First reading, April 11, 1906.

(PRIVATE BILL.)

Mr. Ross,
(Yale-Cariboo).

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 109.] **BILL.** [1906.

An Act to repeal the Act to provide for the collection and publishing of Labour Statistics.

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

1. Chapter 15 of the statutes of 1890, "An Act to provide for the collection and publishing of Labour Statistics," is repealed. 1890, c. 15, repealed.

No. 109.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to repeal the Act to provide for the collection and publishing of Labour Statistics.

First reading, April 11, 1906.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 110.] **BILL.** [1906.

An Act respecting certain patents of the Toledo Glass Company.

Preamble.

WHEREAS the Toledo Glass Company, of the city of Toledo, in the State of Ohio, one of the United States, has by its petition represented that it is the holder of certain letters patent issued under the seal of the Patent Office, viz.:—Patent number eighty-six thousand and ninety-one, dated the twenty-second day of March, one thousand nine hundred and four, for improvements in glass tanks or pots; patent number eighty-seven thousand one hundred and twenty-two, dated the tenth day of May, one thousand nine hundred and four, for improvements in glass shaping machines, and patent number eighty-seven thousand one hundred and twenty-three, dated the tenth day of May, one thousand nine hundred and four, for improvements in the method of blowing glass: and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Conditions respecting manufacture.

1903, c. 46.

1. Notwithstanding anything in the Patent Act, as amended by chapter 46 of the statutes of 1903, or in the patents mentioned in the preamble, the said patents, instead of being subject to the conditions set forth in paragraph (*a*) of section 4 of chapter 46 of the statutes of 1903, shall be subject to the conditions set forth in paragraphs (*a*), (*b*), (*c*) and (*d*) of section 7 thereof, and failure to construct or manufacture in Canada the patented inventions under each of the said patents heretofore shall not affect the validity of the said patents, and notwithstanding such failure the said patents are declared valid and subsisting.

Extension of time for importation.

2. Notwithstanding anything in the Patent Act, as amended by chapter 46 of the statutes of 1903, or in the patents mentioned in the preamble, the Toledo Glass Company or its licensees may, during the period of one year after the passing of this Act, import or cause to be imported into Canada the said inventions, and any importations of the said patented inventions in the past, or during the said period of one year from the passing of this Act, shall in no wise cause to cease or determine any rights and privileges granted under the said letters patent or cause the said patents to become null and void.

No. 110.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting certain patents of the Toledo Glass Company.

First reading, April 17, 1906.

(PRIVATE BILL.)

MR. STEWART.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 111.] **BILL.** [1906.

An Act respecting the Lake of the Woods Milling Company, Limited, and the Keewatin Flour Mills Company, Limited.

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

1. The agreement dated the twenty-eighth day of March, one thousand nine hundred and six, set forth in the schedule to this Act, made between the Lake of the Woods Milling Company, Limited, and the Keewatin Flour Mills Company, Limited, is hereby ratified and confirmed and declared to be valid and binding upon the said companies; and the said Keewatin Flour Mills Company, Limited, is hereby empowered to issue bonds for the purposes set out in the said agreement, and secure them by a mortgage deed; and the said Lake of the Woods Milling Company, Limited, is hereby empowered to guarantee the payment of the principal and interest of the said bonds, and purchase the shares of the Keewatin Flour Mills Company, Limited, as set out in the said agreement. Agreement in schedule confirmed. Issue of bonds.

SCHEDULE.

THIS AGREEMENT made this twenty-eighth day of March, in the year of Our Lord one thousand nine hundred and six, between Lake of the Woods Milling Company, Limited, of the first part, and the Keewatin Flour Mills Company, Limited, of the second part.

Whereas the parties of the first part are carrying on the business of milling at Keewatin, in the province of Ontario, and elsewhere.

And whereas the parties of the second part have acquired certain lands and water power at Keewatin, and are now erecting thereon an elevator and flour mill.

And whereas it is deemed advisable that the parties of the first part shall acquire and control the property and assets of the parties of the second part upon the terms and conditions hereinafter set forth.

Now this agreement witnesseth, that in consideration of the premises, the said parties hereto do hereby mutually covenant, promise and agree each with the other in manner following, that is to say:—

1. The Keewatin Flour Mills Company, Limited, shall issue one thousand five hundred first mortgage bonds to the amount in all of seven hundred and fifty thousand dollars, and to bear date the first day of September, 1906, the principal thereof to be payable in ten years from the date thereof, and said bonds shall bear interest at the rate of six per cent per annum, payable half-yearly on the first days of the months of March and September in each year, and the payment of the principal and interest of the said bonds shall be secured by a mortgage on all the property and assets of the said Company to be made to the Royal Trust Company, as trustees for the holders of the said bonds, and to contain the usual covenants, powers of sale and other provisions for securing payment of the said bonds according to their tenor and effect.

2. The Lake of the Woods Milling Company, Limited, shall guarantee the payment of the said bonds, principal and interest, as therein set forth.

3. The said bonds shall be numbered consecutively from 1 to 1,500, and shall be in the form following, that is to say:—

Dominion of Canada.

The Keewatin Flour Mills Company, Limited, issue of seven hundred and fifty thousand dollars six per cent first mortgage gold bonds.

This bond witnesseth: That the Keewatin Flour Mills Company (Limited) is indebted to the bearer hereof, or if registered, to the registered holder, in the sum of five hundred dollars ($500), which sum the said Company hereby promises to pay to such bearer or registered holder in gold coin of or equal to the present standard of weight and fineness, on the first day of September, one thousand nine hundred and sixteen, and upon surrender of the appropriate coupon, the Company promises to pay to the bearer thereof interest in like gold coin at the rate of six per centum per annum, payable half-yearly, on the first days of March and September in each year.

Payments of principal and interest shall be made at the office of the Bank of Ottawa, in the city of Montreal. This bond is issued in conformity with the Company's charter, and in accordance with the provisions of by-law No. , of the Company, passed by the directors on the day of , 1906, and sanctioned by the shareholders of the Company in general meeting on the day of , 1906, and is one of an issue of fifteen hundred bonds for five hundred dollars ($500) each, amounting in the aggregate to the sum of seven hundred and fifty thousand dollars, all of like tenor and date, numbered consecutively from one to fifteen hundred, inclusive. The said bonds are secured *pari passu* by deeds of mortgage, executed on the day of , in accordance with the laws of the different provinces of the Dominion of Canada, wherein the property of the Company is situated,

mortgaging and hypothecating such property in each of the said provinces, both movable and immovable, and as therein described, to and in favour of the Royal Trust Company, as trustees for the holders of the present issue of bonds. Reference is hereby made to the said deeds of mortgage for a description of the property mortgaged, the nature and extent of the security and the terms and conditions upon which the said bonds are issued and held. This bond shall not be valid or obligatory unless countersigned by the trustee.

In witness whereof, the Keewatin Flour Mills Company (Limited), has caused this bond to be signed by its president and countersigned by its secretary-treasurer, and the seal of the Company to be affixed at the city of Ottawa, on the day of , .

THE KEEWATIN FLOUR MILLS COMPANY (Limited).

[Seal.]

....

Secretary-Treasurer. President.

Copy of Coupon.

$15.

The Keewatin Flour Mills Company (Limited) will pay to the bearer on the day of , on presentation at the Bank of Ottawa, in the city of Montreal, fifteen dollars ($15) in gold coin for six months interest on bond.

No.

$15. .....

Secretary Treasurer.

Trustee's Certificate.

This bond for five hundred dollars is one of the issue of first mortgage gold bonds referred to in the within bond, total issue aggregating seven hundred and fifty thousand dollars.

Dated at Montreal,.....190...

The Royal Trust Company,
Trustee,

By

.....

Manager.

For value received, the Lake of the Woods Milling Company, Limited, having been thereunto duly authorized, hereby unconditionally guarantees the prompt payment of the principal and

interest of the within bond according to the tenor thereof, and it agrees that if such payment is not made, it will itself forthwith make such payment.

Given under the seal of Lake of the Woods Milling Company, Limited, this first day of September, one thousand nine hundred and six.

.....
President.

[Seal.]

.....
Secretary.

4. The cost of preparing and engraving the said bonds shall be borne and paid one-half by each of the parties hereto.

5. The said bonds shall, when executed, be delivered to John Mather, Esquire, and George Burn, general manager of the Bank of Ottawa, or to such other person or persons as the parties may agree upon, as trustees for the purposes hereinafter set forth.

6. The Lake of the Woods Milling Company, Limited, shall forthwith after the execution of this agreement and its ratification by the shareholders, pay to the said John Mather and George Burn, or such other person or persons as may be agreed upon as trustees, the sum of two hundred thousand dollars, for the purposes hereinafter set forth.

7. The Keewatin Flour Mills Company, Limited, shall pay in full the various sums of money due or to become due under the contracts of the said the Keewatin Flour Mills Company, Limited, with the Macdonald Engineering Company and the Allis Chalmers Company, aggregating four hundred and eighty-three thousand dollars as the same become payable, and shall pay and discharge all other liabilities incurred by the said the Keewatin Flour Mills Company, Limited, up to the sixteenth day of April, 1906, and shall pay a proportionate part of the current year's taxes and insurance up to the said sixteenth day of April, 1906. Between the sixteenth day of April, 1906, and the date of transfer of sixty-six per cent of said shares as herein provided, the Keewatin Flour Mills Company, Limited, shall not incur any liabilities whatsoever except such as are expressly authorized by the president of the Lake of the Woods Milling Company, Limited.

8. Should the amount of the present stock subscriptions of the Keewatin Flour Mills Company, Limited, be insufficient for the purposes mentioned in the preceding paragraph hereof, then and in such event, any shortage shall be paid by the said John Mather and George Burn, or other person or persons agreed upon as trustees, out of the sum of two hundred thousand dollars paid to them, as provided in the sixth paragraph hereof, but no such payment shall be made until after the holders of sixty-six per cent of the subscribed stock of the Keewatin Flour Mills Company, Limited, shall have agreed in writing to transfer their stock to the trustees appointed by the Lake of the Woods Milling Company, Limited, as herein provided.

9. The Lake of the Woods Milling Company, Limited, shall assume and pay all salaries and other charges and expenses incurred by the Keewatin Flour Mills Company, Limited, from

and after the sixteenth day of April, 1906, under the authority and with the consent of the president of the Lake of the Woods Milling Company, Limited, and shall pay to the Keewatin Flour Mills Company, Limited, the sum of seven thousand four hundred and twenty dollars for the purpose of paying off T. H. Sopher, manager of said Company, and the said the Keewatin Flour Mills Company, Limited, undertakes and agrees to procure a release of the engagement of the said T. H. Sopher with the said the Keewatin Flour Mills Company, Limited.

10. The shareholders of the Keewatin Flour Mills Company, Limited, shall assign and transfer their shares in the said the Keewatin Flour Mills Company, Limited (with the exception of two hundred and fifty shares to be transferred to such persons as the president of the Lake of the Woods Milling Company, Limited, may direct), to trustees to be appointed by the Lake of the Woods Milling Company, Limited, and on the production of the certificate of the said trustees and president respectively that such assignment has been made, the said John Mather and George Burn, or other trustees agreed upon as before mentioned, shall pay and distribute pro rata to and among such shareholders of the Keewatin Flour Mills Company, Limited, the said two hundred thousand dollars cash, less such an amount as may be required to pay any shortage on the debts, as provided in paragraph 8 hereof, and the said seven hundred and fifty thousand dollars in bonds, but should any shareholder of the Keewatin Flour Mills Company, Limited, refuse to assign his shares as aforesaid and accept his pro rata share of such moneys and bonds, then and in such case, the said John Mather and George Burn shall transfer to the said trustees appointed by the Lake of the Woods Milling Company, Limited, the share of said moneys and bonds to which such refusing shareholder is entitled, and the said trustees shall hold the said moneys and bonds in trust for such refusing shareholder to be paid over to him upon his assigning and transferring his shares to the trustees as above mentioned, but this agreement is conditional upon holders of at least sixty-six per cent of the shares in the said the Keewatin Flour Mills Company, Limited, agreeing to accept their pro rata share of said moneys and bonds and transferring their stock as hereinbefore provided.

11. Unless holders of at least sixty-six per cent of the stock of the Keewatin Flour Mills Company, Limited, signify in writing to the said the Keewatin Flour Mills Company, Limited, their willingness to accept their pro rata share of said moneys and bonds, and to transfer their shares to said trustees as hereinbefore provided, on or before the sixteenth day of April, 1906, then this agreement shall be null and void, and all moneys paid by the Lake of the Woods Milling Company, Limited, as hereinbefore set forth, shall be repaid to the said Lake of the Woods Milling Company, Limited.

12. Upon payment of two hundred thousand dollars, as provided in clause 6 hereof, and after the holders of sixty-six per cent of said shares shall have notified in writing the said the Keewatin Flour Mills Company, Limited, that they are willing to accept said pro rata share of moneys and bonds as mentioned in paragraph 11 hereof, the said Lake of the Woods Milling Company, Limited, shall be at liberty to authorize any changes

designed to improve the efficiency of the said mill and elevator, and also to complete and extend the works necessary beyond those specified in said contracts mentioned in paragraph 7 hereof, but all costs, charges and expenses for extras, additions, or otherwise, caused by such changes or additional works shall be paid and borne wholly by the Lake of the Woods Milling Company, Limited, and the said Lake of the Woods Milling Company, Limited, agree to complete all such additional erections, works and equipment as may be necessary for the proper working of the said mill and elevator, and after the completion of the erection of the said mill and elevator, the said Lake of the Woods Milling Company, Limited, shall at all times until the said bonds shall have been fully paid and redeemed, maintain the same in a proper state of repair, and restore any parts of the same which may at any time and from time to time become worn out or destroyed in so far as the same may be necessary to maintain the highest standard of efficiency known to recognized milling experts.

13. That from and after the sixteenth day of April, 1906, the Lake of the Woods Milling Company, Limited, shall, until the said bonds have been fully paid and redeemed, insure and keep insured in the name of the Keewatin Flour Mills Company, Limited, the buildings, machinery and plant on said property to their full insurable value, with loss payable to the Royal Trust Company, the trustees for the holders of said bonds, and shall pay all premiums necessary for that purpose.

14. Should any of said buildings, plant or equipment be destroyed in whole or in part by fire at any time after the sixteenth day of April, 1906, and before the redemption of said bonds, the said Lake of the Woods Milling Company, Limited, shall immediately rebuild and restore the same, and the insurance moneys paid to the said the Royal Trust Company, trustees, shall, upon the completion thereof, be paid by the said trustees to the said Lake of the Woods Milling Company, Limited, but should the said Lake of the Woods Milling Company, Limited, fail forthwith to rebuild and restore the same, then the said trustees may proceed to do so and apply the insurance moneys received to that purpose, and any deficiency shall be paid by the Lake of the Woods Milling Company, Limited.

15. The Lake of the Woods Milling Company, Limited, shall have the right at any time fixed for payment of interest on said bonds to redeem any portion thereof not less than one hundred thousand dollars at any one time upon paying a premium of ten per cent. But three months' previous notice of the intention to make such redemption must be given in writing by the said Lake of the Woods Milling Company, Limited, to the trustees for said bondholders.

16. The Lake of the Woods Milling Company, Limited, or their trustees, shall at all times during the currency of said bonds, and until the whole principal and interest thereon have been fully paid and satisfied, do, observe and perform, all acts, matters and things required by law to be done, observed and performed, in order to maintain the said the Keewatin Flour Mills Company, Limited, as a valid and subsisting corporation.

17. The said companies shall jointly apply to Parliament for such legislation as may be necessary to carry out the terms of

this agreement, and one-half of the expense and costs of said legislation shall be borne and paid by each of said companies.

18. From and after the payment of the said two hundred thousand dollars to the said John Mather and George Burn, or other trustees agreed upon, as provided in paragraph 6 hereof, and until the delivery over of said bonds and the transfer of the shares of stock in the Keewatin Flour Mills Company, Limited, to the said trustees of the Lake of the Woods Milling Company, Limited, the officers of the Keewatin Flour Mills Company, Limited, shall carry out the instructions from time to time received from the Lake of the Woods Milling Company, Limited, through their president, in regard to the operations of the Keewatin Flour Mills Company, Limited.

19. The Lake of the Woods Milling Company, Limited, agree to pay all municipal, provincial and other rates and taxes of every nature and kind whatsoever, or by whatever municipality or government levied or imposed upon the said the Keewatin Flour Mills Company, Limited, or the property or assets thereof at any time and from time to time after the sixteenth day of April, 1906.

20. The word "president" in so far as it refers to the Lake of the Woods Milling Company, Limited, shall include the acting president for the time being appointed by that company.

21. This agreement shall be forthwith submitted by each of said companies to their shareholders for confirmation.

In witness whereof, the said parties hereto have respectively affixed their corporate seals, as witness the hands of their respective presidents and secretaries.

Signed, sealed and delivered
in the presence of

Witness as to the signatures of Robert Meighen and R. Neilson, Jas. A. Oborne.

LAKE OF THE WOODS MILLING CO., Limited. [Seal.]
By Robert Meighen,
President.
R. Neilson,
Asst. Secretary.

Witness as to the signatures of John Mather and E. Seybold, W. H. Connor.

THE KEEWATIN FLOUR MILLS CO., Limited. [Seal.]
John Mather,
President.
E. Seybold,
Secy. Treas.

No. 111.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Lake of the Woods Milling Company, Limited, and the Keewatin Flour Mills Company, Limited.

First reading, April 17, 1906.

(PRIVATE BILL.)

MR. ADAMSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 112.] **BILL.** [1906.

An Act respecting the Huron and Ontario Railway Company.

Preamble.

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

1896 (First Sess.) c. 20, s. 11; 1904, c. 85, s. 1.

1. Section 11 of chapter 20 of the statutes of 1896 (First Session), as amended by section 1 of chapter 85 of the statutes of 1904, is further amended by striking out the word "twenty" in the second line of the said section 11 and substituting therefor the words "twenty-five."

1903, c. 130, s. 1 and 1904, c. 85 repealed.

2. Section 1 of chapter 130 of the statutes of 1903 and chapter 85 of the statutes of 1904 are repealed.

Branch line.

3. The Huron and Ontario Railway Company may lay out, construct and operate a branch line of railway from Port Perry, in the county of Ontario, to a point on Lake Ontario at or near the town of Whitby or the town of Oshawa, and from the town of Goderich south through the counties of Huron, Middlesex, Lambton, Kent and Essex to the city of Windsor and town of Sarnia, touching at the towns of Parkhill and Strathroy.

Time for construction limited.

4. The said company may commence within two years and complete within five years after the passing of this Act the railways which it has been authorized to construct, and if the said railways are not commenced and completed within the said respective periods, the power of construction granted to the said company by Parliament shall cease and be null and void with respect to so much of the said railways as then remains uncompleted.

No. 112.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Huron and Ontario Railway Company.

First reading, April 17, 1906.

(PRIVATE BILL.)

MR. RATZ.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 113.] **BILL.** [1906.

An Act respecting the Great Northern Railway of Canada.

Preamble.

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

Time for construction of portion of railway extended.

1. The Great Northern Railway of Canada may construct the uncompleted portions of its line of railway between a point near St. Jerome, St. Sauveur or Lachute, and a point on the Ottawa, Northern and Western Railway, in the county of Wright, in the province of Quebec, within five years after the passing of this Act.

Time for construction limited.

2. Unless the said company commences within two years and completes and puts in operation within five years after the passing of this Act such lines of railway, the said company's powers of construction shall cease and be null and void with respect to so much of the said lines as then remains uncompleted.

Title of Act.

3. This Act may be cited as the "Great Northern Railway of Canada Act, 1906."

No. 113.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Great Northern Railway of Canada.

First reading, April 17, 1906.

(PRIVATE BILL.)

MR. DUBEAU.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 114.] **BILL.** [1906.

An Act to incorporate the Canadian Lloyds, Limited.

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

1. Robert Bickerdike, J. Herbert, B. Christie and Francis A. C. Bickerdike, all of the town of Summerlea, Duncan A. Campbell and John Gowan, both 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 Canadian Lloyds, Limited," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, 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 purpose of the Company only, and may do generally whatever is necessary to organize the Company. Provisional directors. Powers.

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

2. The shares of the capital stock subscribed for shall be paid as follows; ten per cent at the time of subscription and the remainder by such instalments as the directors determine, but at periods of not less than one month's interval, the first instalment shall not exceed twenty 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. Payment of calls.

4. The directors may increase the amount of capital stock from time to time to an amount not exceeding one million dollars, but the stock shall not be increased until a resolution of the directors authorizing such increase has been confirmed by a majority of the shareholders representing at least two-thirds in value of the subscribed stock of the Company. Increase of capital.

Head office.

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

Agencies.

First general meeting.

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

Election of directors.

2. At such meeting and at each annual meeting thereafter the shareholders present or represented by proxy, who have paid not less than ten per cent on the amount of shares subscribed for by them, shall elect a board of directors, which shall consist of not less than 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 fifty shares of the capital stock of the Company and has paid all calls due thereon and all liabilities incurred by him to the Company.

Ocean marine insurance.

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 ocean 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 goods, merchandise, live or dead stock, luggage, effects, specie, bullion or other cargo or property conveyed in, upon, or by such ships, boats, vessels, steamboats or other craft and of or to timber or other property of any description conveyed in any manner upon any of the oceans, seas or navigable waters aforesaid, and on respondentia and bottomry interests, commissions, profits and freights; and the Company may insure itself against loss, damage or risk which it may incur in the course of its business.

Fire, inland marine and transportation insurance.

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

Investment powers.

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

R.S.C., c. 124.

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.

11. The Company may acquire and hold such real estate in Canada and elsewhere, as is necessary for the purposes of its business, and again dispose thereof; but such real estate shall not at any time exceed the annual value of twenty-five thousand dollars. Real property.

12. 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.

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 this Act. R.S.C., c. 118.

No. 114.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Canadian Lloyds, Limited.

First reading, April 17, 1906.

(PRIVATE BILL.)

MR. BICKERDIKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 115.] **BILL.** [1906.

An Act respecting Leprosy.

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

Establishment of lazarettos.

1. The Governor in Council may by proclamation establish as a lazaretto for lepers any existing institution devoted to the care and treatment of persons afflicted with leprosy, or any institution hereafter constructed or acquired for that purpose.

Medical superintendent and officers of Agriculture.

2. The Governor in Council may appoint a medical superintendent of any lazaretto so established and such other officers and servants as he deems necessary for the proper management and care of the lazaretto and its inmates.

Officers subject to control of Minister of Agriculture.

3. Subject to any regulations of the Governor in Council in that behalf, the officers and servants of any such lazaretto shall be subject to the direction and control of the Minister of Agriculture, hereinafter referred to as "the Minister."

Confinement of lepers.

4. Every person in Canada found to be afflicted with leprosy may be confined in a lazaretto for lepers.

Examination of suspected lepers.

5. The Minister may cause any person as to whom it is suspected that he is afflicted with leprosy to be examined by a medical offier or officers to be designated by him, and upon a report of such medical officer or officers that there is reason to believe that such person is afflicted with leprosy he may authorize the admission of such person into a lazaretto, and in case of such person refusing to become an inmate of such lazaretto may cause proceedings to be taken for his apprehension and confinement therein as hereinafter provided.

Proceedings in case of refusal to enter lazaretto.

Discretionary power of Minister in certain cases.

6. In the event of such medical officer or officers reporting with respect to the person examined that the disease is not at a stage at which it is communicable, or that there are sufficient means of securing for such person proper isolation, attendance and medical treatment at his home, and that the sanitary conditions surrounding the patient and the appreciation by him and his attendants of the necessary precautionary measures sufficiently prevent the patient from being or becoming a menace to the public health, the Minister shall have discretionary power to omit or suspend proceedings for his apprehension and confinement as aforesaid.

Before whom information to be laid in cases of suspected leprosy.

7. If upon the report of such medical officer or officers the Minister is of opinion that the person examined should be confined in a lazaretto, he may cause information that such person is suspected or believed to de afflicted with leprosy to be laid—

In Ont., N.S., N.B., P.E.I., Man. and B.C.

(*a*) in the provinces of Ontario, Nova Scotia, New Brunswick, Prince Edward Island, Manitoba and British Columbia, before a judge of a county court;

In Quebec.

(*b*) in the province of Quebec, before a judge of the sessions or a district magistrate, and in any district where there is neither a judge of the sessions or a district magistrate, the sheriff of the district;

In Saskatchewan and Alberta.

(*c*) in the provinces of Saskatchewan and Alberta, before a judge of a superior court;

In Yukon.

(*d*) in the Yukon Territory, before a judge of the territorial court or a police magistrate;

In N.W.T.

(*e*) in the North-west Territories, before a stipendiary magistrate.

Evidence and commitment.

8. Such judge or magistrate, upon the person for whose apprehension the warrant is issued being brought before him, shall proceed to hear such evidence under oath as may be adduced with reference to the alleged affliction of such person, and if satisfied upon the evidence that such person is afflicted with leprosy shall commit him by warrant in form B in the schedule to this Act to a lazaretto for lepers, there to remain until duly discharged by law: Provided that no such warrant of committal shall issue unless the affliction of such person is certified under oath by at least two qualified and practising physicians, or by the medical superintendent or other medical officer of a lazaretto for lepers.

Proviso.

Penalty for harbouring or concealing lepers.

9. Every person who harbours or conceals any one afflicted with leprosy, knowing or having reason to suspect or believe that he is so afflicted, with intent to prevent the person so harboured or concealed from being examined under direction of the Minister, or to prevent his being apprehended under this Act, is guilty of an offence and is liable to a penalty not exceeding dollars and not less than dollars, or to imprisonment for a period not exceeding and not less than , with or without hard labour, or to both.

Penalty.

Proceedings in cases of suspected leprosy.

10. Upon information laid before him that any person afflicted with leprosy is, or is reasonably suspected or believed to be harboured or concealed in any house, room or place with such intent as aforesaid, any justice of the peace may by warrant authorize any constable or other person to enter at any time such house, room or place, and to apprehend and bring before him or any other justice of the peace any person found therein who is or appears to be so afflicted, and such justice may thereupon commit such person for examination as aforesaid or make such other order as the exigencies of the case require.

1892, c. 29.

11. The provisions of Part LVIII of the Criminal Code, 1892, shall apply to all proceedings under the three last preceding sections.

Medical superintendent to receive committed lepers.

12. The medical superintendent or officer in charge of any lazaretto for lepers shall receive therein as an inmate any person afflicted with leprosy who is so committed to such lazaretto as aforesaid, or whose admission thereto has been authorized by the Minister.

Detention until discharged on certificate.

13. Inmates received into any lazaretto for lepers shall be detained therein until the medical superintendent or officer in charge of the lazaretto certifies that it is safe for them to be discharged and to be at large.

Discharge subject to conditions.

2. The discharge of an inmate may be subject to any conditions certified by the medical superintendent or officer in charge to be necessary or expedient.

Power to retake escaped lepers.

14. In case an inmate of a lazaretto for lepers escapes therefrom, it shall be lawful for any officer or servant of the lazaretto, or for any constable or peace officer, or for any other person at the request of any such officer or servant, or constable or peace officer, within forty-eight hours after such escape, where no warrant has been issued, and within one month after such escape, where a warrant in form C in the schedule to this Act has been issued by the medical superintendent or officer in charge of the lazaretto in that behalf, to retake such escaped inmate, and to return him to the lazaretto from which he escaped, and he shall remain in custody therein under the authority by virtue of which he was detained prior to his escape.

Rules and regulations for management of lazarettos.

15. The Governor in Council may make rules and regulations for the management, discipline and policy of any lazaretto for lepers and prescribing the duties and conduct of the medical superintendent and other officers and servants employed therein, and for the diet, bedding, maintenance, employment, classification, instruction and discipline of the inmates thereof, and may annul, alter and amend such rules and regulations from time to time, and all officers, inmates and other prisoners shall be bound to obey such rules and regulations.

SCHEDULE.

FORM A.

Canada,
Province of
County of
To Wit:
[*or as the case may be.*]

To all or any of the constables and other peace officers in the county of [*or as the case may be.*]

Whereas information upon oath has this day been laid before the undersigned, , Judge of the County Court of , in the said province [*or as the case may be*] that [*or*, a certain male, *or*, female, person whose name is unknown] is afflicted with leprosy;

These are, therefore, to command you to apprehend the said and bring him before me in order that inquiry

may be made respecting the alleged affliction of the said , and that he be may further dealt with according to law.

Given under my hand and seal this day of 190 , at , in the said county [*or as the case may be*].

[L.S.]

Judge.

FORM B.

Canada,
Province of,
County of.
[*or as the case may be.*]

To all or any of the constables or other peace officers in the county of [*or as the case may be*] and to the medical superintendent or officer in charge of the lazaretto for lepers at .

Whereas information was laid before me the undersigned Judge of the County Court of the county of , in the said province [*or as the case may be*] on the oath of , that [*or as in the information*] was afflicted with leprosy;

And whereas inquiry has been made by me respecting the alleged affliction of the said ;

And whereas such affliction of the said has been certified upon oath by and , qualified and practising physicians [*or as the case may be*];

And whereas I have found and adjudged the said to be afflicted with leprosy;

These are, therefore, to command you the said constables and other peace officers, or any of you, to take the said , and him safely convey to the lazaretto for lepers at , in the province of , and deliver him to the medical superintendent or officer in charge of the said lazaretto; and I do hereby command you the said medical superintendent or officer in charge of the said lazaretto to receive the said into custody as an inmate of the said lazaretto and safely keep until the said shall be discharged by law.

Given under my hand and seal this day of , 190 , at in the said county [*or as the case may be*].

[L.S.]

Judge.

FORM C.

Lazaretto for Lepers at

To all or any of the officers and servants of the said lazaretto and to all or any of the constables and peace officers in the county of .

Whereas on the day of , 190 , being within one month from this date, a person afflicted with leprosy, confined in the above lazaretto, of which I am medical superintendent [*or as the case may be*], did escape from the said lazaretto;

These are, therefore, to command you, or any of you, the said officers and servants, constables and peace officers, in His Majesty's name, to retake the said and safely convey him to this lazaretto and deliver him into my charge.

Given under my hand and seal this day of , 190 , at in the county aforesaid.

[L.S.]

Medical Superintendent
[*or as the case may be.*]

No. 115.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Leprosy.

First reading, April 17, 1906.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 116.] **BILL.** [1906.

An Act for the prevention of fraud in the Hay Trade.

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

1. This Act may be cited as The Hay Act, 1906. Short title.

2. Every person who presses hay for trade shall attach to each bale or bundle of hay so pressed, or shall print thereon, a label on which is marked distinctly and indelibly— Hay intended for trade to be marked with descriptive label.

(*a*) the initials of the christian name, the full surname and the address in full of such person;

(*b*) the weight of such bale or bundle;

(*c*) an indication of the quality of the hay, in one of the following four marks, namely:—

"Choice" for hay of that quality, that is to say, of a specially faultless quality;

"No. 1," for hay of a first grade;

"No. 2," for hay of a second grade;

"No. 3," for hay of a third grade.

3. Such label may be a piece of leather, strong canvas, hard wood or tin, having engraved or printed on it, or otherwise showing, the said initials, name, address and indication of the quality and weight, and attached to the said bale or bundle by means of a wire passed through or around the said bale or bundle, or by any other means guaranteeing a like solidity. Description of label.

4. No person who presses such hay shall allow anything else than hay or other grasses, products of the same soil, to be put into such bale or bundle. Hay and grass only to be in bale.

5. No such hay shall be so pressed that the exterior gives a false impression of the interior of such bale or bundle. False appearance of bale.

6. No shipper who is a dealer in hay shall forward any consignment of hay the bales or bundles of which do not bear a label as above described. Bales shipped to bear label.

7. Any person who, by himself, or through the agency of another person, violates any of the provisions of this Act, shall for each offence, upon summary conviction, be liable to a fine not exceeding ten dollars, together with the costs of the prosecution, and, in default of payment of such fine and costs, shall be liable to imprisonment, with or without hard labour, for a term not exceeding one month, unless such fine and costs are sooner paid Penalties.

No. 116.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act for the prevention of fraud in the Hay Trade.

First reading, April 17, 1906.

Mr. Beauparlant.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 117.] **BILL.** [1906.

An Act to incorporate the Erie, London and Tillsonburg Railway Company.

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

1. Edwin Van Norman Tillson, of the town of Tillsonburg, in the county of Oxford, Eli Chadwick Jackson, of the same place, George William Teall, of the village of Vienna, in the the county of Elgin, Warren Thomson, of the city of London, in the county of Middlesex, Miller Warnock and William Warnock, of the town of Aylmer, in the county of Elgin, all in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Erie, London and Tillsonburg 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. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be at the town of Tillsonburg, in the county of Oxford. Head office.

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

7. The number of directors shall be not less than five and not more than nine, one or more of whom may be paid directors. Directors.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from Port Burwell on the north shore of Lake Erie to the city of London, passing through or near the town of Aylmer, and from a point on the said railway, between Port Burwell and Aylmer, to the town of Tillsonburg. Line of railway described.

Powers.

9. The Company may, for the purposes of its business, construct, purchase, hire or otherwise acquire, charter, own, control and operate steam and other vessels, boats and ferries for the conveyance of cars, passengers, merchandise and cargos on all lakes, rivers and other navigable waters in connection with its business, and may enter into agreements with the owners of such vesssels, boats and ferries for any of such purposes, and may generally carry on the business of ship owners and carriers by water in connection with its undertaking and make and collect charges for all services connected therewith.

Vessels, etc.

Carriers.

Charges.

Warehousemen, wharfingers and forwarders.

10. The Company may carry on the business of warehousemen, wharfingers and forwarders, and for such purpose purchase, lease, construct or otherwise acquire, hold, enjoy and manage such lands, water lots, wharfs, docks, dock yards, slips, warehouses, elevators, offices and other buildings as it requires for the purposes of its business, and may charge wharfage and other dues for the use of such property.

Water powers.

Electricity.

11. The Company may acquire and utilize water and steam power for the purpose of compressing air or generating electtricity for lighting, heating or motor purposes, and acquire, utilize and operate works for the said purposes and may dispose of all surplus power, light or heat generated by the Company's works and not required for the undertaking of the Company.

Issue of securities for railway.

12. The securities issued by the Company in respect of its railway shall not exceed twenty five thousand dollars per mile, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for other purposes.

13. The Company may from time to time issue bonds, debentures, perpetual or terminal debenture stock or other securities for the construction or acquisition of any vessels, properties or works, other than the railway, which the Company is authorized to construct, acquire or operate, but such bonds, debentures, perpetual or terminal debenture stock or other securities shall not exceed in amount the value of such vessels, properties and works.

Execution of mortgages.

2. For the purpose of securing the issue of such bonds, debentures, debenture stock or other securities, the Company may execute mortgages upon such property, assets, rents and revenues of the Company, present or future, as is described therein.

1903, c. 58 to apply.

3. All the provisions of sections 111 to 116, both inclusive, of the Railway Act, 1903, shall so far as they are applicable apply to such bonds, debentures, debenture stock or other securities or mortgages.

Agreements with other companies.

14. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into an agreement with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canada Southern Railway Company and the Wabash Railway Company.

No. 117.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Erie, London and Tillsonburg Railway Company.

First reading, April 18, 906.

(PRIVATE BILL.)

MR. SCHELL,
(South Oxford).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 118.] **BILL.** [1906.

An Act respecting the South Shore Railway Company and the Quebec Southern Railway Company.

Preamble.

WHEREAS chapter 158 of the statutes of 1905 provided for the sale of the South Shore Railway and the Quebec Southern Railway and their accessories; and whereas the owners of the said railways have by their petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1896 (2nd Sess.) c. 10; 1902, c. 101; 1905, c. 158.

1902, c. 101, and 1905, c. 158 repealed.

1. Chapter 101 of the statutes of 1902 and chapter 158 of the statutes of 1905 are repealed, and all proceedings had or begun by virtue of the said last mentioned Act shall cease and be of no effect.

Time for construction of South Shore Railway extended.

2. The South Shore Railway Company may complete the railway which by chapter 10 of the statutes of 1896 (Second Session) it is authorized to construct, or any portion thereof, on or before the fifth day of October, one thousand nine hundred and ten, provided that as to so much thereof as is not completed within that period the powers of the said company shall cease and determine.

No. 118.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the South Shore Railway Company and the Quebec Southern Railway Company.

First reading, April 18, 1906.

(PRIVATE BILL.)

MR. DEVLIN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 119.] **BILL.** [1906.

An Act to incorporate the Vancouver and North Western Railway Company.

Preamble.

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

Incorporation.

1. Lochlan McLean, Hugh McLean and Norman McLean, all of the city of Vancouver, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Vancouver and North Western Raliway Company," hereinafter called "the Company."

Corporate name.

Declaratory.

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

Provisional directors.

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

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

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

Annual meeting.

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

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from the city of Vancouver to Harrison Lake, thence northerly, by the most feasible route to the sixtieth degree of north latitude.

Issue of securities.

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

Agreements with other companies.

10. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with any other railway company for any of the purposes specified in the said section 281.

No. 119.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Vancouver and North Western Railway Company.

First reading, April 18, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 120.] **BILL.** [1906.

An Act to incorporate the Fort William and Port Arthur Terminal Railway and Bridge Company.

Preamble.

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

Incorporation.

1. William Henry Hamilton and John Thomas Horne, of the town of Fort William, and Robert A. Ruttan, of the town of Port Arthur, both in the district of Thunder Bay, John Jacob Drew of the city of Guelph, in the county of Wellington, and William Arthur Dowler, of the town of Tillsonburg, in the county of Oxford, all in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Fort William and Port Arthur Terminal Railway and Bridge Company," hereinafter called "the Company."

Corporate name.

Declaratory.

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

Provisional directors.

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

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars. No one call thereon shall exceed ten per cent on the shares subscribed.

Head office.

5. The head office of the Company shall be at the town of Fort William, in the province of Ontario.

Annual meeting.

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

Directors.

7. The number of directors shall not be less than five and not more than nine, one or more of whom may be paid directors.

Line of railway described.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches across islands numbers one and two at the mouth of the Kaministiquia River in the Neebing Addition to the town of Fort William and adjacent to the shores thereof, and from a point on the northerly shore of the Kaministiquia River adjacent to Kakebeka

Falls by way of Point Temuron at the head of navigation or a point adjacent thereto to a point on the northerly shore of the Kaministiquia River opposite the said islands, thence to connect with the railways on the said islands by bridges across the Kaministiquia River and McKellar Creek, and from a point on the said railway in or near the town of Fort William into and through the town of Port Arthur to Bare Point, and from a point on the last mentioned railway to a point on Thunder Bay at or near the boundary line between Fort William and Port Arthur, with such branches as may from time to time be required to reach the industries established on the said islands or elsewhere in or near Fort William or Port Arthur, and to connect at different points with the Canadian Pacific Railway, the Canadian Northern Railway and the Grand Trunk Pacific Railway.

Bridges.

9. The Company may construct, maintain and operate bridges with the necessary or proper approaches or terminal facilities over the Kaministiquia River from a point on the railways on the said islands to a point on the opposite or north shore of the Kaministiquia River in the town of Fort William and over the McKellar Creek from island number one to island number two, and may construct and arrange the said bridges for the passage of pedestrians, cars, vehicles drawn by any power and for general traffic purposes, and may lay tracks on the bridges and on its terminal properties for the passage of railway and other cars, and may charge tolls for the passage of cars, vehicles, pedestrians and general traffic over the bridges, approaches and terminal properties, or for the use thereof.

For general purposes.

Tolls.

Agreements with another company.

2. The Company may unite with or enter into any agreement with any other company, corporation or person for the construction or maintenance of any such bridge and the approaches thereof as a joint work or for the joint working, control, management and use thereof, or for or in respect to any aid to be granted towards the construction and maintenance of the said bridge.

Vessels.

10. The Company may, for the purposes of its business, construct, purchase, hire or otherwise acquire, charter, own, control and operate steam and other vessels, boats and ferries for the conveyance of cars, passengers, merchandise and cargoes on any lakes, rivers and other navigable waters in connection with its business, and may enter into agreements with the owners of vessels, boats and ferries for any of such purposes, and may generally carry on the business of ship-owners and carriers by water in connection with its undertakings, and make and collect charges for all services connected therewith.

Charges.

Warehousemen, wharfingers and forwarders.

11. The Company may carry on the business of warehousemen, wharfingers and forwarders, and for such purpose purchase lease, construct or otherwise acquire, hold, enjoy and manage such lands, waters lots, wharves, docks, dock yards, slips, warehouses, elevators, ore and coal handling and storage equipment, offices and other buildings as it finds necessary and convenient for its purposes and charge wharfage and other dues for the use of any such property.

Wharfage dues.

Proceedings where additional land required.

12. If the Company requires land for the approaches to the said bridge or the terminals connected therewith, or for wharfs, docks, dock yards, slips, warehouses, elevators, ore and coal handling and storage equipment, offices or other buildings, and cannot agree for the purchase thereof with the owners of the said lands, it may cause a map or plan or book of reference to be made of such lands and all the provisions of section 139 of the Railway Act, 1903, shall apply to the subject-matter of this section in the obtaining of the said lands and the determining of compensation therefor.

Issue of securities on railways.

13. Securities issued by the Company in respect of its railway shall not exceed thirty thousand dollars per mile of the railway situate without the limits of the municipalities of Fort William and Port Arthur, and fifty thousand dollars per mile of the railway situate within the limits of either of the said municipalities, but may be issued upon any branch line situate within or without the said municipalities to the same extent per mile in accordance with the location of the said branch line as if the said branch line formed part of the main line, and such securities may be issued only in proportion to the length of the railway constructed or under contract to be constructed.

Issue of securities on other property.

14. The Company may, from time to time, issue bonds, debentures, perpetual or terminal debenture stock or other securities for the construction of the bridges and the construction or acquisition of any vessels or other properties or works of any kind other than the railway which the Company is authorized to construct, acquire or operate, but such bonds, debentures, perpetual or terminal debenture stock or other securities shall not exceed in amount the value of the said bridge, vessels, properties and works.

Mortgage to secure bonds.

15. For the purpose of securing the issue of the bonds, debentures, perpetual or terminal debenture stock or other securities in the last preceding section mentioned, the Company may execute a mortgage or mortgage deeds upon such property, assets, rents and revenues of the Company, present or future, as may be described therein.

1903, c. 58.

2. All the provisions of sections 111 to 116, both inclusive, of the Railway Act, 1903, shall, so far as applicable, apply to such bonds, debentures, perpetual or terminal debenture stock, mortgages or other securities.

Agreements with other companies.

16. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into an agreement with all or any of the companies hereinafter named for any of the purposes specified under the said secton 281, such companies being the Canadian Northern Railway Company, the Canadian Pacific Railway Company and the Grand Trunk Pacific Railway Company.

No. 120.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Fort William and Port Arthur Terminal Railway and Bridge Company.

First reading, April 18, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 121.] **BILL.** [1906.

An Act respecting the Manitoulin and North Shore Railway Company.

Preamble. 1900, c. 64; 1901, c. 74; 1902, c. 72; 1903, c. 148; 1905, c. 120.

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

Time extended for construction of railway between Sudbury and Little Current.

1. That part of the railway of the Manitoulin and North Shore Railway Company described in section 7 of chapter 64 of the statutes of 1900, lying between Sudbury and Little Current, may be commenced within two years from the first day of July, one thousand nine hundred and six; but if the construction of the said railway is not commenced at the harbour of Little Current and one hundred and fifty thousand dollars are not expended thereon within two years after the said first day of July, and if the said railway is not completed within three years from the said date, the power granted for such construction shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time extended for construction of railway between Meaford and Owen Sound.

2. That part of the the said railway described in section 7 of chapter 64 of the statutes of 1900, lying between Meaford and Owen Sound, may be commenced within two years after the first day of July one thousand nine hundred and six; but if the construction of the said railway is not commenced, and one hundred and fifty thousand dollars are not expended thereon within two years from the said first day of July , and if the said railway is not completed within three years from the said date, the power granted for such construction shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

1905, c. 120, s. 1 amended.

3. Subsections 2 and 3 of section 1 of chapter 120 of the statutes of 1905 are repealed.

Agreements with other companies.

4. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canada Central Railway Company, Algoma Central and Hudson Bay Railway Company and the Ontario, Hudson's Bay and Western Railway Company.

No. 121.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Manitoulin and North Shore Railway Company.

First reading, April 18, 1906.

(PRIVATE BILL.)

MR. WATSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 122.] **BILL.** [1906.

An Act respecting certain patents of Franklin Montgomery Gray.

Preamble.

WHEREAS Franklin Montgomery Gray has by his petition represented that he is the owner of letters patent issued under the seal of the Patent Office, for the following patents, namely, patent number eighty-one thousand two hundred and seven, dated the second day of June, one thousand nine hundred and three, for improvements in the process for converting wood and other cellulose material into sugar (re-issue of patent number seventy-seven thousand nine hundred and eighty-nine, dated the twenty-eighth day of October, one thousand nine hundred and two, for improvements in method of converting wood and other cellulose material into sugar and alcohol), number eighty-four thousand and fourteen, dated the twenty-fourth day of November, one thousand nine hundred and three, for improvements in process for converting wood cellulose and the like into fermentable sugar, and number eighty-four thousand seven hundred and twenty, dated the twelfth day of January, one thousand nine hundred and four, for improvements in treatment of comminuted wood, peat or the like to prepare it for consolidation; and whereas the said Franklin Montgomery Gray has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for manufacture extended.

1. Notwithstanding anything in the Patent Act, as amended by chapter 46 of the statutes of 1903, or in the letters patent mentioned in the preamble, the failure to construct or manufacture in Canada the inventions patented under the said patents shall be deemed not to have affected the validity of the said patents, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of one year from the passing of this Act, and such extension shall have the same effect as if applied for and granted within the time prescribed by chapter 46 of the statutes of 1903.

R.S.C., c. 61; 1903, c. 46.

Rights of third persons saved.

2. If any person has, in the period between the twenty-eighth day of October, one thousand nine hundred and four, and the twenty-second day of March, one thousand nine hundred and six, commenced to manufacture, use and sell in Canada the invention covered by the said patent number eighty-one thousand two hundred and seven (re-issue of patent number seventy-seven thousand nine hundred and eighty-nine), or has

in the period between the twenty-fourth day of November, one thousand nine hundred and five, and the twenty-second day of March, one thousand nine hundred and six, commenced to manufacture, use and sell in Canada the invention covered by the said patent number eighty-four thousand and fourteen, or has in the period between the twelfth day of January, one thousand nine hundred and six and the twenty-second day of March, one thousand nine hundred and six, commenced to manufacture, use and sell in Canada the invention covered by the said patent number eighty-four thousand seven hundred and twenty, such person may continue to manufacture, use and sell such inventions in as full and ample a manner as if this Act had not been passed.

No. 122.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting certain patents of Franklin Montgomery Gray.

First reading, April 18, 1906.

(PRIVATE BILL.)

MR. CAMPBELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 123.] **BILL.** [1906.

An Act respecting a patent, number 69140, of the Underwood Typewriter Company.

Preamble.

WHEREAS the Underwood Typewriter Company has by its petition represented that it is the owner of letters patent issued under the seal of the Patent Office, and dated the twenty-ninth day of October, one thousand nine hundred, for patent numbered sixty-nine thousand one hundred and forty, for improvements in typewriting machines; and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Time for manufacture extended.

1. Notwithstanding anything in the Patent Act, as amended by chapter 46 of the statutes of 1903, or in the letters patent mentioned in the preamble, the failure to construct or manufacture, in Canada, the invention patented under the said patent shall be deemed not to have affected the validity of the said patent, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of six months from the passing of this Act, and such extension shall have the same effect as if applied for and granted within the time prescribed by chapter 46 of the statutes of 1903.

1903, c. 46.

Rights of third persons saved.

2. If any person has in the period between the twenty-ninth day of October, one thousand nine hundred and three, and the , one thousand nine hundred and six, commenced to manufacture, use and sell in Canada the invention covered by the said patent, such person may continue to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed.

No. 123.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting a patent, number 69140, of the Underwood Typewriter Company.

First reading, April 18, 1906.

(PRIVATE BILL.)

MR. CAMPBELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 124.] **BILL.** [1906.

An Act respecting the Harbour Commissioners of Montreal.

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

1894, c. 48, ss. 8 to 17 repealed.

1. Sections 8 to 17, both inclusive, of chapter 48 of the statutes of 1894, intituled "An Act to amend and consolidate the Acts relating to the Harbour Commissioners of Montreal," are repealed, and the following sections are enacted as sections 8, 9, 10 and 11 of the said Act:—

New sections 8, 9, 10, 11.

Commissioners.

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

Quorum.

"**9.** Two commissioners shall be a quorum.

President of corporation.

"**10.** The Governor in Council may, from time to time, appoint one of the said commissioners as president of the corporation.

Remuneration of commissioners.

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

When Act to come into force.

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

No. 124.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Harbour Commissioners of Montreal.

First reading, April 18, 1906.

Mr. Brodeur.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 125.] **BILL.** [1906.

An Act respecting the Algoma Central and Hudson Bay Railway Company.

Preamble. 1899, c. 50; 1900, c. 49; 1901, c. 46; 1902, c. 38; 1905, c. 53.

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

Agreements with other companies.

1. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Algoma Central and Hudson Bay Railway Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canada Central Railway Company, the Manitoulin and North Shore Railway Company, and the Ontario, Hudson's Bay and Western Railway Company.

No. 125.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Algoma Central and Hudson Bay Railway Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

Mr. Dyment.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 126.] **BILL.** [1906.

An Act respecting the Thorold and Lake Erie Railway Company.

Preamble.

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

1904, cc. 131, 132.

Time for construction of railway extended.

1. The Thorold and Lake Erie Railway Company may commence its undertaking within two years after the passing of this Act, and shall complete it 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 undertaking as then remains uncompleted.

No. 126.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act respecting the Thorold and Lake Erie Railway Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 127.] **BILL.** [1906.

An Act respecting the Farmers Bank of Canada.

Preamble.

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

1904, c. 77; 1905, c. 92.

Time for giving certificate of Treasury Board extended.

1. Nothwitstanding anything in the Bank Act, or in chapter 77 of the statutes of 1904, incorporating the Farmers Bank of Canada, or in chapter 92 of the statutes of 1905 extending the time for obtaining the certificate required by section 14 of the Bank Act, the Treasury Board may, within one year after the eighteenth day of July, nineteen hundred and six, give to the said bank the certificate required by section 14 of the Bank Act.

Powers to cease if certificate not obtained.

2. In the event of the Bank not obtaining the said certificate from the Treasury Board within the time aforesaid, the rights, powers and privileges conferred on the said bank by the said Act of incorporation and by this Act shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of the Bank Act.

No. 127.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Farmers Bank of Canada.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 128.] **BILL.** [1906.

An Act respecting Puebla Light and Power Company, Limited, and to change its name to "Puebla Tramway, Light and Power Company."

Preamble.

WHEREAS Puebla Light and Power Company, Limited, has by its petition represented that it is incorporated under the provisions of the Companies Act, 1902, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1902, c. 15.

Name changed.

1. The name of Puebla Light and Power Company, hereinafter called "the Company," is changed to "Puebla Tramway, Light and Power Company," but such change of name shall not in any way impair, alter or effect the rights or liabilities of the Company, nor affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing rights not affected.

Powers of Company in Republic of Mexico.

2. Subject to the laws in force in the Republic of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the Republic of Mexico, survey, lay out, construct, complete, maintain and operate, and from time to time extend, remove and change as required, double or single, iron or steel railways and branches, side tracks, turnouts and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company, also telegraph and telephone lines and works in connection therewith, and allow the use of the said railways and other works by lease, license or otherwise for reward, and take, transmit and carry for reward telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by force or power of animals or by steam, pneumatic, electric or mechanical power, or by a combination of them, or any of them, and also may there acquire by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and maintain and operate for reward any existing or future lines of railway, tramway, telegraph and telephone; and for all or any of the purposes aforesaid the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Railways.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition of properties of other companies.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide by coupons or otherwise for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrant.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled.

Liability of Company for entry without cancellation.

To what extent bearer is to be deemed shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of the Companies Act, 1902, either to the full extent or for such purposes as may be prescribed by the directors, provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will not qualify bearer as a director.

Particulars to be entered in register.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share or shares as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(*a*) the fact of the issue of the warrant;

(*b*) a statement of the share or shares included in the warrant;

(*c*) the date of the issue of the warrant;

and until the warrant is surrendered the above particulars shall be deemed to be the particulars which are required by section 74 of the Companies Act, 1902, to be entered in the books of the Company in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

1902, c. 15, s. 74.

Date of surrender to be entered.

Power to directors to vary conditions of issue.

8. The directors may determine and from time to time vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon will be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered, and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the

stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Power to guarantee securities of other corporations controlled by Company.

9. The Company may guarantee the payment of the principal and interest or part thereof of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be in the form set out in the schedule hereto, or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

SCHEDULE.

Payment of the principal and interest [*or as the case may be*] of the within bonds [*or as the case may be*] in accordance with the tenor thereof [*or as the case may be*] is hereby guaranteed by Puebla Tramway, Light and Power Company, [*here may be set out any special terms or conditions of the guarantee*].

For Puebla Tramway, Light and Power Company.

President [*or other officer duly authorized*].

No. 128.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Puebla Light and Power Company, Limited, and to change its name to "Puebla Tramway, Light and Power Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 129.] **BILL.** [1906.

An Act to incorporate the Winnipeg Loan and Trust Company.

Preamble.

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

Incorporation.

1. Thomas Llewellyn Metcalfe, Eliphalet Edwards Sharpe, George A. Metcalfe, Dick Alex Stacpoole and William J. Smith all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company, are incorporated under the name of "The Winnipeg Loan and Trust Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Powers.

Capital stock.

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

Currency of issue.

2. Such capital stock may be issued either in sterling or currency, or both, as the directors determine, and if any of such capital stock is issued in sterling it shall be at the rate of four dollars and eighty-six and two-third cents per pound sterling.

Election of directors.

3. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed and not less than thirty-five 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 Winnipeg, at which meeting shall be elected the directors of the Company.

When business may be commenced.

4. The Company shall not commence business until at least one hundred thousand dollars of the capital stock have been subscribed and at least thirty-five 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.

Powers of Company.

5. The Company may—

Acceptance and execution of trusts.

(*a*) accept, fulfil and execute all such trusts as are committed to it by any person or by any court of law on such terms as are agreed upon, or as such court shall, in case of disability, approve, and take, receive, hold and convey all estates and property, real and personal, which may be granted, committed or conveyed to it with its assent, upon any such trusts and, in addition to its other powers of receiving money on deposit, may receive moneys on deposit for the purpose of investment and allow interest thereon until invested;

Agent.

(*b*) generally act as agent or attorney for the transaction of business, the management of estates, investments and collection of moneys, rents, interests, dividends, mortgages, bonds, bills, notes and other securities; act as agent for the purpose of registering, issuing and countersigning the transfers and certificates of stocks, bonds, debentures or other obligations of Canada or of any province thereof, or of any corporation, association or municipality; and receive and manage any sinking fund therefor, on such terms as are agreed upon;

Storage.

Loans.

(*c*) construct, maintain and operate or lease suitable buildings and structures for the reception and storage of personal property of every nature and kind; act as agents, consignees and bailees thereof and take all kinds of personal property for deposit and safe-keeping on such terms as are agreed upon, and make loans thereon;

Agency association.

(*d*) act as an agency association for or on behalf of others who entrust it with money for loan or investment and also secure the repayment of the principal or the payment of the interest or both of any moneys entrusted to it for investment, and for the purpose of securing the Company against loss upon any guarantee or obligation or any advance made by it, may receive and dispose of any description of estate or security which is conveyed, pledged, mortgaged or assigned to or ware-

housed with the Company in connection with such guarantee, obligation, advance or investment;

(*e*) promote or assist in promoting any other company, and for such purpose may subscribe for, buy and sell debentures, mortgage debentures and other securities of such other company, and otherwise employ the money or credit of the Company in any manner deemed expedient for any such purposes either for actually employing any portion of the moneys of the Company for such purpose or by placing on the market or guaranteeing the issue of, or the payment of the interest on, the shares, debentures, mortgage debentures, obligations or securities of such other company, and may act as agent for the purpose of collecting and converting into money its securities and properties pledged, and may close and wind up the business of estates, partnerships, associations or corporations; Promotion of other companies.

(*f*) act as trustee in respect of any debenture, bond, mortgage, hypothec or other security issued according to law; Trustee in respect of securities.

(*g*) accept and hold the office and perform all the duties of receiver, trustee, assignee, trustee for the benefit of creditors, liquidator, executor, administrator, official guardian, official administrator, guardian ad litem, guardian of any minor, committee of any lunatic, or curator to insolvent estates; Receiver, assignee, guardian, etc.

(*h*) besides the real property acquired and held by it in the course of the due carrying on of its business the Company may acquire, hold and convey real property to an amount not exceeding one million dollars, and in addition thereto— Real property.

(i) such real property as is taken by it in compromise or payment of any pre-existing indebtedness;

(ii) such real property as is purchased by it at any judicial or other sale or foreclosure or for the enforcement of any claim, mortgage, interest or agreement in the nature of a pledge or mortgage thereof acquired or taken by the Company in the course of the due carrying on of its business: Provided that the Company shall sell any property acquired by it by virtue of sub-paragraphs (i) and (ii) within fifteen years from the date of the acquisition thereof by the Company;

(*i*) guarantee the title to or quiet enjoyment of property either absolutely or subject to any qualifications and conditions, and guarantee any person interested in or about to become interested in or owning or about to purchase or acquire any real property against any loss, actions, proceedings, claims or demands by reason of any insufficiency or imperfection or deficiency of title or in respect of encumbrances, burdens or outstanding rights, and may guarantee any person against any loss or damage by reason of the failure on the part of any person to make due payment of the whole or any part of any loan, advance, mortgage or claim, hypothecary or otherwise or the interest thereon, and may issue its guarantee certificates and policies in such form as it may determine and for such remuneration as it may fix; Guarantee of titles, etc.

(*j*) borrow money at such rates of interest as are agreed upon and may secure such loans by any mortgages, hypothecs, stocks, bonds, or other securities belonging to the Company; Borrowing.

(*k*) examine, report upon and audit the books, accounts, condition and standing of corporations, partnerships and individuals when requested or authorized so to do by such corpor- Auditing.

ations, partnerships or individuals and also when requested by an order of a court of competent jurisdiction;

Guarantee investments.

(*l*) guarantee any investment made by the Company as agent or otherwise;

Pledge securities.

(*m*) sell, pledge, mortgage or hypothecate any mortgage or other security or any other real or personal property held by the Company from time to time;

Investment of capital and profits.

(*n*) invest any moneys forming part of its capital or reserve, or accumulated profits, in such property and securities, real or personal, and mortgage, sell or otherwise dispose thereof, or any part thereof, and re-invest the proceeds as the directors from time to time deem expedient: Provided that nothing in this Act shall authorize the Company to engage in the business of banking;

Charges and costs.

(*o*) for and in respect of all or any of its services, duties or trusts, charge and be allowed and collect and receive all such remuneration, charges, costs and disbursements as may be agreed upon, and in default of any such agreement the Company may charge, collect and receive all proper remuneration and lawful and customary charges, costs and disbursements

Advancement of moneys.

(*p*) advance moneys to protect any estate, trust or property entrusted to the Company, and charge interest upon such advances;

Deal in securities.

(*q*) purchase, sell, invest and deal in mortgages or hypothecs upon freehold or leasehold property or other immovables, debentures, bonds, stocks and other securities and obligations of any government or of any municipal, school or other corporation, life insurance policies, annuities and endowments, but not including bills of exchange or promissory notes.

Proviso.

Surety on bonds.

6. The Company may—

(*a*) be surety upon any bond required by any judicial proceeding and, subject to the jurisdiction of the court, judge or official receiving such bond, the surety of the Company shall suffice in all cases where two or more sureties are now required;

Remuneration.

(*b*) arrange for, receive and recover such remuneration as may be agreed upon for being such surety;

Execution of security bond.

(*c*) execute any security bond by the manager or secretary signing it for the Company and attaching the Company's seal thereto.

Directors.

7. The affairs of the Company shall be managed by a board of not less than seven directors, each of whom shall hold at least twenty shares of stock, upon which all calls have been paid, and the office of a director, upon his ceasing to hold that number of shares or becoming insolvent by voluntary assignment or compulsory liquidation, shall immediately and ipso facto cease and be vacated.

Powers of directors.

8. The directors may—

(*a*) pay all expenses incurred in organizing and incorporating the Company;

(*b*) issue debentures, bonds, deposit receipts and stock;

(*c*) delegate any of their powers to committees consisting of such member or members of their body as they think fit, and any committees so formed shall in the exercise of the powers

so delegated conform to any regulations that may be imposed on them by the directors;

(*d*) determine the site of their chief place of business and of any agencies or offices they may require.

Reserve fund.

9. The directors may, from time to time, 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 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 them separate from other assets.

Trust moneys to be kept separate.

10. The moneys and securities of each trust shall always be kept distinct from those of the Company and in separate accounts and so marked in the books of the Company for each particular trust as always to be distinguished from any other in the registers and other books of account kept by the Company and so that at no time shall trust moneys form part of or be mixed with the general assets of the Company, and the Company shall, in the receipt of rents and in the overseeing and management of trust and other property, keep distinct records of all operations connected therewith and such trust money and other property shall not be liable for the ordinary debts and obligations of the Company.

Company's bond sufficient security.

11. Notwithstanding any law or rule of process to the contrary, whenever the Company is appointed to any office it shall not be required to give any security other than its own bond for the due performance of its duties in connection with such office unless the court sees fit otherwise to direct.

R.S.C., c. 118.

12. Sections 7, 9, 18, 38, 39 and 41 of the Companies Clauses Act shall not apply to the Company.

1899, c. 41.

13. Sections 18, 19, 20, 21, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 39, 40, 41, 42, 43, and 44 of the Loan Companies Act, Canada, 1899, shall, except in so far as they are inconsistent with this Act, apply to the Company, and whenever in the said 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;" but nothing in this Act shall be deemed to constitute the Company a loan company within the meaning of the Loan Companies Act, Canada, 1899.

No. 129.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Winnipeg Loan and Trust Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. LEFURGEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 129.] **BILL.** [1906.

An Act to incorporate the Winnipeg Loan and Trust Company.

[Reprinted as proposed to be amended in the Banking and Commerce Committee.]

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

1. Thomas Llewellyn Metcalfe, Eliphalet Edwards Sharpe, George A. Metcalfe, Dick Alex Stacpoole and William J. Smith all of the city of Winnipeg, in the province of Manitoba, together with such persons as become shareholders in the company, are incorporated under the name of "The Winnipeg Loan and Trust Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

2. Such capital stock may be issued either in sterling or currency, or both, as the directors determine, and if any of such capital stock is issued in sterling it shall be at the rate of four dollars and eighty-six and two-third cents per pound sterling. Currency of issue.

3. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed and not less than thirty-five 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 Winnipeg, at which meeting shall be elected the directors of the Company. Election of directors.

4. The directors may, after the whole capital stock has been subscribed and fifty per cent has been paid thereon in cash, increase the amount of the capital stock, from time to time, to Increase of capital.

an amount not exceeding five million dollars, but the stock shall not be increased until a resolution of the directors authorizing such increase has been first 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 the purpose of considering such by-law.

When business may be commenced.

4. The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock have been subscribed and seventy-five thousand dollars paid thereon; and a further sum of twenty-five thousand dollars shall be paid in within two years after such commencement of business.

Powers of Company.

5. The Company may—

Acceptance and execution of trusts.

(*a*) accept, fulfil and execute all such trusts as are committed to it by any person or by any court of law on such terms as are agreed upon, or as such court shall, in case of disability, approve, and take, receive, hold and convey all estates and property, real and personal, which may be granted, committed or conveyed to it with its assent, upon any such trusts and, in addition to its other powers of receiving money on deposit, may receive moneys on deposit for the purpose of investment and allow interest thereon until invested;

Agent.

(*b*) generally act as agent or attorney for the transaction of business, the management of estates, investments and collection of moneys, rents, interests, dividends, mortgages, bonds, bills, notes and other securities; act as agent for the purpose of registering, issuing and countersigning the transfers and certificates of stocks, bonds, debentures or other obligations of Canada or of any province thereof, or of any corporation, association or municipality; and receive and manage any sinking fund therefor, on such terms as are agreed upon;

Storage.

(*c*) construct, maintain and operate or lease suitable buildings and structures for the reception and storage of personal property of every nature and kind; act as agents, consignees and bailees thereof and take all kinds of personal property for deposit and safe-keeping on such terms as are agreed upon, and make loans thereon;

Loans.

Agency association.

(*d*) act as an agency association for or on behalf of others who entrust it with money for loan or investment and also secure the repayment of the principal or the payment of the interest or both of any moneys entrusted to it for investment;

Guarantee of securities.

(*e*) guarantee the issue of, or the payment of interest on, the debentures, mortgage debentures, or securities, of any other company, and act as agent for the purpose of collecting and converting into money the securities and properties of such company pledged to it, and may close and wind up the business of estates, partnerships, associations and corporations;

Winding up.

Trustee in respect of securities.

(*f*) act as trustee in respect of any debenture, bond, mortgage, hypothec or other security issued according to law;

Receiver, assignee, guardian, etc.

(*g*) accept and hold the office and perform all the duties of receiver, trustee, assignee, trustee for the benefit of creditors, liquidator, executor, administrator, official guardian, official administrator, guardian ad litem, guardian of any minor, committee of any lunatic, or curator to insolvent estates;

(*h*) guarantee the title to or quiet enjoyment of property either absolutely or subject to any qualifications and conditions, and guarantee any person interested in or about to become interested in or owning or about to purchase or acquire any real property against any loss, actions, proceedings, claims or demands by reason of any insufficiency or imperfection or deficiency of title or in respect of encumbrances, burdens or outstanding rights, and may guarantee any person against any loss or damage by reason of the failure on the part of any person to make due payment of the whole or any part of any loan, advance, mortgage or claim, hypothecary or otherwise or the interest thereon, and may issue its guarantee certificates and policies in such form as it may determine and for such remuneration as it may fix. The business described in this paragraph is hereinafter called, and may be known as, "title insurance;" Guarantee of titles, etc.

(*i*) examine, report upon and audit the books, accounts, condition and standing of corporations, partnerships and individuals when requested or authorized so to do by such corporations, partnerships or individuals and also when requested by an order of a court of competent jurisdiction; Auditing.

(*j*) guarantee any investment made by the Company as agent or otherwise; Guarantee investments.

(*k*) invest any moneys forming part of its capital or reserve, or accumulated profits, in such property and securities, real or personal, and mortgage, sell or otherwise dispose thereof, or any part thereof, and re-invest the proceeds as the directors from time to time deem expedient; Investment of capital and profits.

(*l*) for and in respect of all or any of its services, duties or trusts, charge and be allowed and collect and receive all such remuneration, charges, costs and disbursements as may be agreed upon, and in default of any such agreement the Company may charge, collect and receive all proper remuneration and lawful and customary charges, costs and disbursements; Charges and costs.

(*m*) advance moneys to protect any estate, trust or property entrusted to the Company, and charge interest upon such advances; Advancement of moneys.

(*n*) receive money on deposit upon such terms as to interest and otherwise as are agreed upon: Provided that the amount held on deposit under this paragraph 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 or banks in Canada and belonging to the Company; Moneys may be received on deposit.

(*o*) have agencies in any places in Great Britain, Canada or the United States for the transaction of its business; Agencies.

(*p*) take real or personal security as collateral for any advance made or to be made or debt due the Company. Collateral security.

6. The Company may— Deal in securities.

(*a*) be surety upon any bond required by any judicial proceeding and, subject to the discretion of the court, judge or official receiving such bond, the surety of the Company shall suffice in all cases where two or more sureties are now required;

Remuneration.

(*b*) arrange for, receive and recover such remuneration as may be agreed upon for being such surety;

Execution of security bond.

(*c*) execute any security bond by the manager or secretary signing it for the Company and attaching the Company's seal thereto.

Directors.

7. The affairs of the Company shall be managed by a board of not less than seven directors, a majority of whom shall be a quorum, and each of whom shall hold at least twenty shares of stock, upon which all calls have been paid, and the office of a director, upon his ceasing to hold that number of shares or becoming insolvent by voluntary assignment or compulsory liquidation, shall immediately and ipso facto cease and be vacated.

Investment of trust moneys.

8. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require,—

Mortgages of real estate.

(*a*) upon first mortgages, privileges and hypothecs of improved freehold property of ample value in Canada, and may accept real or personal property or covenants by way of collateral security thereto;

Stock and securities.

(*b*) in the stock, funds or government securities of Canada, or of any former, present or future province of Canada, or of the United States, or of any state thereof, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province (other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar), or in the bonds and debentures of any school district in any such province, or in the public stock, funds, or government securities of the United Kingdom, or any of the colonies or dependencies thereof;

R.S.C., c. 124, s. 50.

(*c*) in any securities or stocks mentioned in section 50 of the Insurance Act

Securities specified by a court.

(*d*) in such securities as are specified by the terms of any trust, or by the order, judgment or decree of a court, judge or prothonotary.

Existing securities.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands, and it may hold such securities subject to the trusts and legal obligations attached thereto, but in case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order or instrument creating the trust has provided otherwise.

Trust funds to be kept separate.

9. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rents and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith; provided that in the management of the

Proviso.

money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money in the manner provided by section 8 of this Act in a general trust fund of the Company; provided, however, that the total amount of money of any one trust invested in the said general trust fund shall not at any time exceed three thousand dollars.

Trust property not liable for debts of Company.

10. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Accounts to be rendered by Company when made trustee by a court.

11. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge or prothonotary thereof, such court, judge or prothonotary may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person to investigate the affairs and management of the Company, and as to the security afforded to those by or for whom its engagements are held, and such persons shall report thereon to such court, judge or prothonotary, and the expenses of such investigation shall be borne as ordered by such court, judge or prothonotary.

Real estate which may be held.

12. The Company may hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of ten thousand dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and may, from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time shall be extended by order of the Governor in Council.

Investment of moneys of Company.

13. The Company may invest any moneys forming part of its own capital, or reserve or accumulated profit thereon, in any of the securities mentioned in section 8 of this Act or in the bonds or debentures of any incorporated building society or loan company, or on the security of real estate in Canada or of any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any former, present or future province of Canada, as the directors deem expedient.

Note issue prohibited.

14. Nothing in this Act shall be construed to authorize the Company to issue any note payable to the bearer thereof, or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or insurance, except as provided in paragraph (*h*) of section 5 hereof.

Banking prohibited.

Provincial laws not affected.

15. The powers and authority hereby granted to the Company shall not have any force or effect in any province in any respect in which they are inconsistent with the laws of such province.

R.S.C.,c. 124.

16. The provisions of the Insurance Act shall apply to the Company with respect to its business of title insurance.

Deposit with Receiver General.

2. The initial deposit with the Receiver General for a license for the said business shall be fifty thousand dollars, and within two years from the issue of such license the said deposit shall be increased to at least seventy-five thousand dollars, and the Treasury Board may from time to time require such further increases in the said deposit as it deems expedient.

Security for losses and expenses.

3. The said deposit shall be regarded as security for the payment of losses and expenses incurred in respect of the title insurance business of the Company.

Annual statement to be given to Minister of Finance.

17. In addition to the statement required by virtue of subsection 1 of section 16 of this Act, the Company shall prepare and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president, vice-president, manager or secretary, setting forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company other than such as appertain exclusively to its title insurance business, and the trust property held by it, and such other details as the said Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

R.S.C., c. 118 to apply.

18. The Companies Clauses Act, except sections 7, 9, 18, 39 and 41 thereof, shall apply to the Company.

No. 129.

2nd Session, 10th Parliament, 6 Edward VII,

BILL.

An Act to incorporate the Winn Loan and Trust Company.

[Reprinted as proposed to be amended in Banking and Commerce Committee.

(PRIVATE BILL.)

MR. LEFURGE

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 130.] **BILL.** [1906.

An Act respecting the Grand Valley Railway Company.

WHEREAS the Grand Valley Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1900, c. 73; 1902, c. 91.

1. The Grand Valley Railway Company, hereinafter called "the Company," may lay out, construct and operate by any power except steam a railway of the gauge of four feet eight and one-half inches from a point in or near the city of Brantford, in the county of Brant, to the city of Woodstock, in the county of Oxford. Line of railway authorized.

2. The Company may enter into agreements with the Brantford Street Railway Company and the Woodstock, Thames Valley and Ingersoll Electric Railway Company, if such companies are lawfully authorized to enter into such agreements, for leasing or hiring the whole or any portion of the railways of either of the said companies, or for the use thereof, or for the leasing or hiring of motors, carriages or cars or of any part thereof or touching any service to be rendered by either of the said companies to the Company and the compensation therefor: Provided that such agreements are approved of by fifty-one per cent in value of the shareholders of the said companies voting in person or by proxy at a special general meeting called for that purpose, and every such agreement shall be valid and binding according to the terms and tenor thereof, and the Company, upon leasing or entering into such agreement for using the said railways or either of them, may work the said railways subject to the provisions of any by-laws of the municipalities affected. Agreements with other companies. Approval of shareholders.

3. The Company may make agreements with any power company for the purchase, sale and distribution of electricity and power for any purpose for which such electricity or power can be used, including heat and light, and may construct, maintain and operate lines of wire, poles (or use the poles erected for the use of the railway), tunnels, conduits and other works in the manner and to the extent required for such purposes, and conduct, store, sell and supply electricity and other power and, with such lines of wire, poles, conduits, motors or other conductors or devices, conduct, convey, furnish or receive such electricity at any place through, over, along or across any highway or street along its Agreements with power companies. Use of wires poles, tunnels etc.

right of way or the right of way of either of the said companies with which it is empowered to enter into an agreement for leasing.

Electricity and power.

4. The Company may acquire electric or other power or energy which may be transmitted and delivered to any place in the municipalities through which the railway is authorized to be built, or to any place in the municipalities through which is built either of the railways of the companies with which the Company is hereby authorized to enter into an agreement, and may receive, transform, transmit, distribute, supply and dispose of such power or energy in any form.

Issue of securities.

5. The Company may issue bonds, debentures or other securities to the extent of thirty thousand dollars per mile of the portion of the said railway from the city of Brantford to the city of Woodstock, and such bonds, debentures or other securities may be issued only in proportion to the length of such railway constructed or under contract to be constructed, and such securities may be secured by a mortgage deed upon the portion of the railway so constructed or under contract to be constructed between the city of Brantford and the city of Woodstock.

Mortgage securing bonds.

Time for construction of railway extended.

6. The time limited by section 3 of chapter 91 of the statutes of 1902 for completing the railway of the Company is extended for five years from the passing of this Act, and if the construction of the railway between Brantford and Woodstock is not commenced within two years after the passing of this Act, and is not finished and put in operation within five years after the passing of this Act, the powers granted by this Act for constructing the railway between Brantford and Woodstock shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.

Line between Brantford and Woodstock.

No. 130.

2nd Session, 10th Parliament, 6 Edward VII., 19

BILL.

An Act respecting the Grand Valley Railway Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 131.] **BILL.** [1906.

An Act respecting the Royal Bank of Canada.

WHEREAS the Royal Bank of Canada has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1869, c. 59; 1870, c. 43; 1900, cc. 103, 104.

1. The chief office of the Royal Bank of Canada is hereby changed from the city of Halifax, in the province of Nova Scotia, to the city of Montreal, in the province of Quebec. Place of chief office changed.

2. The provisions of chapter 59 of the statutes of 1869, intituled An Act to incorporate the Merchants Bank of Halifax, and any amendments of the said Act, in so far as they are inconsistent with this Act, are hereby repealed. Acts amended.

3. The foregoing sections of this Act shall come into force upon the publication thereof in the *Canada Gazette*, and the Secretary of State of Canada shall cause them to be so published upon receiving a certificate under the hand of the president and the seal of the Royal Bank of Canada, certifying that the directors of the said bank have resolved that it is in the interests of the said bank that the chief office should be changed from Halifax to Montreal, and upon receiving a sum sufficient to pay the costs of such publication. When Act to come into force.

No. 131.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Royal Bank of Canada.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. MACLEAN,
(Lunenberg.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 132.] **BILL.** [1906.

An Act respecting the Ontario Northern and Timagami Railway Company.

WHEREAS the Ontario Northern and Timagami Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1898, c. 87; 1900, c. 84; 1902, c. 106; 1904, c. 134; 1905, c. 161.

1. The Ontario Northern and Timagami Railway Company may lay out, construct and operate an extension of its line of railway from a point on its line in or near the township of Dana or Hobbs, in the district of Nipissing, thence north-westerly to a point on the Missinaibi river, in the district of Algoma. Extension of railway described.

2. Section 7 of chapter 87 of the statutes of 1898 is repealed, and the following is substituted therefor:— 1898, c. 87, new section 7.

"**7.** The capital stock of the Company shall be three million dollars. No one call thereon shall exceed ten per cent on the shares subscribed." Capital stock.

3. Section 12 of the said Act is amended by striking out the word "or" in the third line thereof, and substituting therefor the words "the Grand Trunk Pacific Railway Company, the Temiskaming and Northern Ontario Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Railway Company, and." S. 12 amended.

4. Section 4 of chapter 134 of the statutes of 1904 is repealed. 1904, c. 134, s. 4 repealed.

5. Section 2 of chapter 161 of the statutes of 1905 is amended by striking out all the words after "Byng Inlet" in the seventh line of the said section. 1905, c. 161, s. 2 amended.

6. The said company may, within five years after the passing of this Act, construct and complete the railways which it has been authorized to construct: Provided that as to so much thereof as is not completed within that period the powers of the said company shall cease and determine. Time for construction extended.

No. 132.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Ontario Northern and Timagami Railway Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. MCCOOL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 133.] **BILL.** [1906.

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

Preamble.

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

1899, c. 77; 1901, c. 76; 1902, c. 83; 1905, c. 132.

Lines of railway authorized.

1. The Niagara, St. Catharines and Toronto Railway Company, hereinafter called "the Company," may ay out, construct and operate the following lines of railway:—

(*a*) from a point on the Company's line in or near the town of Thorold, in the county of Welland, thence southerly through or near the town of Welland, to a point in or near the village of Port Colborne;

(*b*) from a point in or near the village of Port Colborne, in the county of Welland, easterly to a point in or near Fort Erie, in the said county, and from a point in or near the village of Fort Erie, to a point in or near the city of Niagara Falls;

(*c*) from a point in or near the city of Niagara Falls to a point in or near the town of Niagara-on-the-Lake, in the county of Lincoln, and from a point in or near the town of Niagara-on-the-Lake, in the county of Lincoln, to the city of St. Catharines;

(*d*) from a point in or near the city of Niagara Falls, or the town of Thorold, or the town of Welland, in the county of Welland, thence westerly to a point in or near the city of Brantford, in the county of Brant.

1899, c. 77, new section 4.

2. Section 4 of chapter 77 of the statutes of 1899 is repealed and the following is substituted therefor:—

Capital stock.

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

Issue of securities on railway.

1899, c. 77, s. 9.

3. Notwithstanding anything in section 9 of chapter 77 of the statutes of 1899, the limit to the amount of securities which the Company may issue and secure under sections 111 to 115, both inclusive, of the Railway Act, 1903, shall, with respect to the lines heretofore and hereby authorized, be thirty thousand dollars per mile of the said lines, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities on property other than railway.

4. The Company may, from time to time, issue bonds, debentures, perpetual or terminal debenture stock or other securities for the construction of the bridges, hotels, terminals, parks and vessels, or other properties or works of any kind, other than the railway, required in connection with the undertaking of the Company, but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the said properties and works.

Time for construction of railway limited.

5. The Company may, within five years after the passing of this Act, construct and complete the railway which it has been authorized to construct: Provided that the powers of construction conferred upon the Company by Parliament shall cease and be null and void with respect to so much of the said railway as then remains uncompleted.

1899, c. 77, s. 11. 1902, c. 83, s. 2, and 1905, c. 132, s. 1, repealed.

6. Section 11 of chapter 77 of the statutes of 1899, section 2 of chapter 83 of the statutes of 1902, and section 1 of chapter 132 of the statutes of 1905, are repealed.

No. 133.

2nd Session, 10th Parliament, 6 Edward VII., 1

BILL.

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

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 134.] **BILL.** [1906.

An Act respecting the Toronto and Hamilton Railway Company, and to change its name to "The Toronto, Niagara and Western Railway Company."

Preamble.

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

Name changed.

1. The name of the Toronto and Hamilton Railway Company, hereinafter called "the Company," is changed to "The Toronto, Niagara and Western Railway Company," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor any suit or proceeding now pending or judgment existing, either by or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Existing rights not affected.

Line of railway authorized.

2. The Company may lay out, construct and operate an extension of its line of railway from a point in or near the city of Hamilton, in the county of Wentworth, westerly to some point on the international boundary at or near the city of Windsor, in the county of Essex, in the province of Ontario, and, with the consent of the proper authorities, beyond the limits of the province of Ontario to a point in the state of Michigan.

1903, c. 196, new section 3.

3. Section 3 of chapter 196 of the statutes of 1903 is repealed and the following is substituted therefor:—

Capital stock.

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

Agreement between Toronto and Niagara Power Co. and Toronto and Hamilton Railway Co. confirmed.

4. The contract dated the second day of October, one thousand nine hunderd and four, between the Toronto and Niagara Power Company and the Toronto and Hamilton Railway Company, set out in the schedule to this Act, is ratified and confirmed and declared to be valid and binding upon the parties thereto, and each of the companies, parties thereto, may do whatever is necessary to carry out and give effect to the said agreement.

Agreements with other companies.

5. Subject to the provisions of sections 281 to 283, both inclusive, of the Railway Act, 1903, the Company may enter into

agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Michigan Railway Company, the Canadian Northern Railway Company, the James Bay Railway Company, the Lake Erie and Detroit River Railway Company and the Père Marquette Railway Company.

Agreements with certain companies as to right of way.

6. The Company may enter into agreements with the Toronto and Niagara Power Company, the Ontario Power Company of Niagara Falls and the Canadian Niagara Power Company for the use, lease or purchase by the Company of the right of way of any or all of the said companies for railway purposes, upon such terms and conditions as are agreed upon, and the Company may lease or grant to the said companies or any of them the right to erect upon the Company's right of way the necessary poles, wires and other apparatus for the transmission and distribution of electric and other power and energy: Provided that every such agreement shall be first approved by two-thirds of the votes of the shareholders of each company party thereto at the annual general meeting of such company, or at a special general meeting called for the purpose of considering such agreement, at each of which meetings shareholders representing at least two-thirds in value of the capital stock of each company are present or represented by proxy, and each of the said companies is hereby authorized to enter into such agreement.

Proviso.

Time for construction limited.

7. The Company may, within two years after the passing of this Act, commence the construction of the railways which it has been authorized to construct and expend fifteen per cent of the amount of its capital stock thereon, and may finish its railways and put them in operation within five years after the passing of this Act, and if the said railways are not commenced and such expenditure be not so made, or if the said railways are not finished and put in operation within the said period, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

1904, c. 135, s. 4 repealed.

8. Section 4 of chapter 135 of the statutes of 1904 is repealed.

SCHEDULE.

CONTRACT made the 2nd day of October, A.D. 1905, between the Toronto and Niagara Power Company, herein called the Power Company, of the first part, and the Toronto and Hamilton Railway Company, herein called the Railway Company, of the second part.

Whereas the Power Company has acquired certain lands and rights between Niagara Falls, Ontario, and Toronto for the purposes of its transmission lines and other works, and has erected certain lines and works thereon, and is preparing to operate the same;

And whereas the Railway Company has power to construct and operate a line of railway between Toronto and Niagara Falls;

And whereas it would be to the advantage of the Power Company and would facilitate its operations in patrolling and maintaining its transmission lines and works and otherwise, were a line of railway, whose facilities it might use, established along said transmission lines;

And whereas it would be to the advantage of the Railway Company and would facilitate the carrying out of its undertaking were its line between Toronto and Niagara Falls constructed along said transmission lines, under the terms of this agreement, instead of upon a right of way purchased or acquired independently;

And whereas for mutual advantage, the parties have agreed as hereinafter set forth.

Now this contract witnesseth and the parties covenant and agree, the one with the other, as follows:—

1. Subject to the terms, limitations and conditions below mentioned, the Power Company hereby grants to the Railway Company the following rights and privileges, viz.:—

(*a*) To construct its line of single (or double track, in whole or part) railway and telegraph or telephone lines upon and along the lands of the power Company between Toronto, or some point in the neighbourhood thereof, and Niagara Falls, or some point in the neighbourhood thereof, together with such switches, sidetracks, bridges, fences, platforms, stations, freight and other buildings, improvements and appurtenances as may from time to time be reasonably required in connection therewith.

(*b*) To double track its said line of railway from time to time, in such parts as may not have been previously double tracked.

(*c*) To change grades, curves, tracks, bridges, platforms, stations, freight and other buildings, improvements and appurtenances from time to time as may be reasonably required, for the purposes of the business and operation of said railway.

(*d*) During the continuance of this agreement, to maintain and operate, use and enjoy, from time to time its said line of railway and other things aforesaid, and to grant to others running and other powers and rights over and in respect thereto.

2. The location and plans of the said railway, switches, sidetracks, bridges, platforms, stations, freight and other buildings, improvements and appurtenances, and any changes therein, shall be agreed on by the parties from time to time, and in default of agreement, shall be settled by arbitration as hereinafter provided for, and the parties declare that it is their intention and agreement that the interests of each party shall be duly considered and provided for, to the end that each may be able, reasonably and properly, to carry on its business and operations and undertaking in harmony with, and without interference by, the other, or by the works or operations of the other; and they agree that the said location and plans and other matters and questions arising under this agreement shall be agreed on or settled, from time to time, in accordance with the principles and intentions above declared.

3. So soon as the said location and plans have been agreed to or settled, the Railway Company shall commence the construction of its said line of railway and other things aforesaid, and shall thereafter continuously carry on such construction, and shall complete and equip the same ready for operation on or

before the 2nd day of October A.D. 1909, and shall thereafter duly and continuously operate the same and will keep and maintain the same in good repair and running order.

4. Nothing herein contained shall limit or affect the rights of the power Company with respect to the use and enjoyment of its said lands and works, and the carrying on of its undertaking thereon, save only so far as the use and enjoyment of said lands may belong to the Railway Company under the terms of this agreement.

5. In consideration of the rights and privileges hereby granted, the Railway Company covenants and agrees with the power Company as follows:—

(*a*) To pay to it, from and after the 1st day of April, 1906, the sum of $ per annum for the period of two years from such date the payments to be made half yearly on the 1st days of October and April in each year the first of such payments to be made on the 1st day of October, 1906, and

From and after the 1st day of April, 1908, to pay to it each year during the continuance of this agreement the sum of $ per annum in half yearly payments of $ each on the 1st days of April and October in each year, the first payment to be made on the 1st day of October, 1908.

(*b*) During the continuance of this agreement, to transport on its said line of railway and deliver to the Power Company at such stations thereon as it may from time to time designate free of charge to the Power Company, all such plant, machinery, materials, supplies and other things as the Power Company or its contractors may require from time to time for the maintenance, repair, improvement and alteration of, to, or in its said transmission lines and works, and as the Power Company may deliver or cause to be delivered to the Railway Company for such transport.

Provided always that the lines and works referred to in this sub-paragraph (*b*) shall be confined to the lines and works along the said location between Toronto and Niagara Falls and shall not extend to or include branch lines or extensions or works appertaining to such branch lines or extensions.

(*c*) During the continuance of this agreement to carry on its said line of railway, free of charge to the Power Company, from and to any of its stations thereon, as may from time to time be required, all such workmen, servants, employees, and officials of the Power Company or its contractors, as may be engaged in maintaining, repairing, improving, altering, or enlarging the lines and works included in sub-paragraph (*b*), including those engaged in patrolling or inspecting the same.

(*d*) During the continuance of this agreement, to give to such of the executive officers and staff of the Power Company, not exceeding in all, free transportation over the said railway, on all passenger trains.

6. During the continuance of this agreement, the Railway Company will purchase from the Power Company all electric power which the Railway Company may from time to time require or use for the operation of its railway and undertaking constructed under this agreement, provided that the rates and terms for such electric power are no higher or more burdensome than the rates and terms for and upon which the Power Com-

pany may from time to time sell electric power to other consumers in the Province of Ontario, under similar conditions.

Provided also that such rates shall not exceed the rates which may at the time the contract is entered into, be charged by other power companies, to railway or other customers, in the province of Ontario, under similar conditions.

Provided further, that if at the expiration of five years from the date of entering into the contract for the supply of such power and at the end of every succeeding period of five years, the cost of generation or distribution of electrical power, or the cost thereof to consumers in the province of Ontario, has become reduced or lowered, the Railway Company shall have the right to ask for a reduction of the price payable for power under such contract, and similarly, at the same periods, in case the cost of generation or distribution of electrical power or the cost thereof to consumers in the province of Ontario, shall become increased, the Power Company shall have the right to ask for an increase in the price payable for power under such contract, and in either event, the Railway Company or the Power Company shall give three months notice in writing to the other, prior to the expiry of any such five years' period, and in default of agreement by the parties, the question of reduction or increase shall be referred to arbitration, under the provisions hereinafter contained.

The Power Company agrees to sell to the Railway Company the said electric power, for and upon such rates and terms, and the parties agree to enter into and execute the necessary contract or contracts, from time to time, to carry out this agreement for purchase and sale of power, and should they differ with respect to the form and terms thereof, such difference shall be settled by arbitration, as hereinafter provided for.

7. During the continuance of this agreement, the Power Company shall have the right, free of charge, to use the said line of the Railway Company, with hand-cars or tricycles or other mechanical devices, approved by the Railway Company, for the patrolling and inspection and repairing of the Power Company's transmission lines and works. The said use shall be subject to such reasonable regulations, to be made by the Railway Company from time to time, as may be necessary for the protection of life and property, and the safety of the operation of said railway, and the use of such hand-cars, tricycles, or other mechanical devices, shall be subject to the reasonable orders of the operating officials of the Railway Company.

8. During the continuance of this agreement, the cost of fencing and maintaining fences along the said lands of the Power Company, shall be borne in equal shares by the parties hereto.

9. The Railway Company shall indemnify the Power Company against all loss, injury, or damage, to the Power Company's transmission lines, towers, plant, works, and property, caused by or resulting from the construction of the said line of railway and other things above mentioned, or from the maintenance, repair, improvement, alteration, extension, addition, changes in grades, curves, or otherwise, thereof or therein.

10. The liability for any damage caused by one Company to the other by or resulting from the operations of the respective Companies, shall be determined by the law applicable to the case at the time.

11. It is the intention of the parties, and it is agreed that each party shall bear and pay a fair and just proportion of all municipal, governmental, or other taxation, upon or in respect of, the lands used by them respectively under this agreement, and should the parties differ respecting the division of such taxation, such difference shall be decided by arbitration as hereinafter provided for.

Provided always that should the Power Company be assessed or taxed for or in respect of any lands used or enjoyed by the Railway Company, or with respect to the interest of the Power Company therein, the Railway Company shall pay such taxes and indemnify the Power Company in respect thereof.

12. The workmen, servants, employees, and officials of the Power Company and of its contractors, shall be at liberty to cross and recross, and otherwise use and be upon the railway and lands of the Railway Company, wherever the same is reasonably necessary for the patrolling, inspection, maintenance, repair, improvement, alteration, extension, addition, or otherwise, of its transmission lines and works, and the workmen, servants, employees, and officials, of the Railway Company, shall have a corresponding privilege with respect to the Power Company's lands.

13. This agreement shall continue for the period of ninety-nine years from the date hereof, unless sooner terminated under the provisions hereof, provided always that at any time during the said period, the Railway Company may pay to the Power Company or its assignee or nominee, the sum of money ascertained as below mentioned, in full payment and discharge of all half-yearly payments thereafter to be made under this agreement, together with any arrears (if any) of such half yearly payments and upon such sum being paid, this agreement shall continue for nine hundred years after the said period of ninety-nine years, and the Railway Company shall, without making any further half yearly payments, have the right to maintain and operate, use and enjoy its said railway and undertaking under this agreement, for and during the remainder of said period of nine hundred and ninety-nine years.

14. Should the Railway Company at any time or times make default in payment of the half-yearly sums payable to the Power Company under this agreement, and should such default continue for three months, the Power Company may from time to time after such three months give to the Railway Company and to the Trustee under any mortgage made by the Railway Company securing its bonds, debentures or other securities, which may be filed in the office of the Secretary of State of Canada, or otherwise registered under the provisions of the Railway Act of Canada, or amendments thereto, or of which the Power Company may have actual notice, written notice to put an end to such default, and if such default continues, in whole or in part for one year after the giving of such notice, the Power Company may at any time thereafter during the continuance of such default, terminate this agreement by written notice to the Railway Company and to said Trustee.

15. On account of the actual cost to the Power Company of the lands acquired by it between Toronto and Niagara Falls as aforesaid for the purposes of its transmission lines but not in-

cluding lands acquired for transformer houses sub-stations or purposes other than for the said transmission lines shall be ascertained together with interest at five per cent per annum on such cost from the time of expenditure until the first half-yearly payment made under this agreement and in such cost shall be included the solicitors, arbitrators, surveyors, engineers and other charges and expenses incidental to the acquisition of said lands, and one half of such cost and interest shall be the sum to be paid in discharge of said half yearly payments. Should any dispute arise in ascertaining said cost and interest such dispute shall be decided by arbitration as hereinafter provided for. The parties agree that the said cost shall be ascertained as soon as reasonably possible after all the said lands have been acquired and that an endorsement thereof shall be made upon this contract and duly executed by the parties. And the Power Company agrees that the maximum sum to be fixed for discharge of said half yearly payments as aforesaid shall in no event exceed $350,000. All payments to be made by one party to the other under this agreement shall if so demanded be made in gold coin of the present standard weight and fineness forming the gold currency for Canada.

16. The cost of carrying out and observing the special terms of the various contracts for or conveyances of the lands of the Power Company forming the right of way for the said transmission lines between Toronto and Niagara Falls relating to crossings, cattle passes, drainage, water courses, wells and other matters connected with rights or conveniences of or for the owners of adjoining lands, shall be borne and paid by the parties in fair and equitable proportions having regard to the reasons for such special terms and to the obligations under the law or the Railway Act or the charters of the parties in reference to the subjects or matters dealt with by such special terms, the intention being that where either party receives a benefit or is relieved from an expense or from the performance of an obligation or duty which might be imposed upon it respecting such subjects or matters by the carrying out or observing by the other party of the said special terms of said contracts or conveyances then the whole or a fair and equitable portion of the cost, as the case may be, shall be borne and paid by such party. In case of disagreement respecting the carrying out of this clause the dispute shall be settled by arbitration as hereinafter provided for.

17. The rights of the Power Company to use the said line of railway for the purposes of patrolling, inspecting, maintaining, repairing, altering, improving, etc., its said transmission lines and works and to cross and re-cross and otherwise use and to be upon the said railway in connection therewith as above mentioned are of the essence of this agreement and such rights are hereby reserved by the Power Company and are also hereby granted by the Railway Company and may from time to time and at all times be exercised and enforced against and shall be recognized and complied with by the Railway Company and by all persons and corporations claiming through or under the Railway Company or claiming any rights or privileges under this agreement and any running powers or other rights granted to others by the Railway Company in respect of its said Rail-

way shall be subject to the said rights of the Power Company and nothing shall be done or permitted by the Railway Company or such other persons or corporations which may derogate from or interfere with said rights.

18. In case of any dispute arising as to the rights of either party under this agreement or any matter or thing herein provided to be done in respect of which there is no provision inconsistent therewith and in the cases where it is agreed that disputes or differences shall be decided by arbitration the same shall be decided by arbitration in such manner as the parties hereto may in writing specially agree upon or failing such special agreement then the matter in dispute shall be settled and determined by an arbitrator to be nominated by the parties and in the event of his refusal or inability to act, then the parties shall agree upon and appoint another sole arbitrator and his award given in writing shall be binding and conclusive on the parties hereto, provided that in default of such agreement and appointment, the President of the High Court of Justice for Ontario may make the appointment (after notice) and in all respects not above provided for the proceedings including the award and the means of enforcing it shall be as provided for in "An Act respecting Arbitrations and References" being chapter 62 of the Revised Statutes of Ontario,1897, or any Act amending or taking the place thereof.

19. Should it be found in practice that cases and events which may arise or happen have not been provided for in this agreement, it is agreed that in any such case or event the parties will consult together with a view to negotiating with fairness and candour a new or other clause to meet the same and to do justice and equity between the parties in respect thereof.

20. Wherever in this agreement either party is mentioned or referred to such mention or reference shall extend to and include and be binding upon its successors and assigns.

21. This agreement is conditional upon the proper assents thereto being given by the Trustees under the mortgages securing the bonds of the respective parties so that the same may be valid and effectual notwithstanding such mortgages and bonds. And such instruments shall be entered into and executed by the parties as may be necessary to make this agreement part of the mortgaged premises and to give said Trustees the necessary rights and powers thereunder and with respect thereto as part of the security for said bonds including power of sale. The term "Bonds" herein includes debentures and other securities issued by the parties respectively.

22. Any notice which either of the parties hereto desires to give to the other party may be validly given by being served on the President or Secretary of either party or by being sent by mail prepaid and registered addressed to the Secretary of either party at the post office address where the head office of such party is at the time situated, and such notice shall be deemed to have been received and given at the time when in the ordinary course of post the envelope containing the same would reach its destination.

In witness whereof the parties hereto have caused their corporate seals to be hereunto affixed and these presents be duly executed by their officers duly authorized thereto.

TORONTO AND NIAGARA POWER COMPANY,

HENRY M. PELLATT,
President.

[SEAL]

H. G. NICHOLLS,
Secretary.

Witness:
H. H. MACRAE.

TORONTO AND HAMILTON RAILWAY,

FREDERIC NICHOLLS,
President.

[SEAL]

D. H. MCDOUGALL,
Secretary.

No. 134.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Toronto and Hamilton Railway Company, and to change its name to "The Toronto, Niagara and Western Railway Company."

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. GUTHRIE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 135.] **BILL.** [1906.

An Act respecting the Empire Trust Company.

Preamble.

WHEREAS the Empire Trust Company has by its petition represented that it is incorporated by chapter 103 of the statutes of 1903 of Quebec, for the purposes and with the powers in the said Act mentioned, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Que., 1903, c. 103.

Declared to be within the legislative authority of Parliament.

1. The Empire Trust Company is hereby declared to be a corporation within the legislative authority of the Parliament of Canada, and may carry on its business throughout Canada and elsewhere, and as trustee or otherwise may receive, hold and convey any property which becomes vested in it for the due carrying on of its said business: Provided that the powers hereby granted shall be exercised in the several provinces of Canada subject to the said Act of the province of Quebec and to all general laws of the said provinces respectively applicable to the said company.

Proviso as to provincial legislation.

Insurance and guaranteeing of titles.

2. The said company shall not carry on the business of insurance or the guaranteeing of titles until it has obtained a license for such purpose under the Insurance Act.

No. 135.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Empire Trust Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. WORTHINGTON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 136.] **BILL.** [1906.

An Act respecting a patent of the Cyclone Woven Wire Fence Company, Limited.

Preamble.

WHEREAS the Cyclone Woven Wire Fence Company, Limited, has by its petition represented that it is the owner of patent number sixty-three thousand one hundred and forty-five, dated the twenty-sixth day of May, eighteen hundred and ninety-nine, issued under the seal of the Patent Office, for new and useful improvements on wire and picket fence machines; and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commissioner of Patents may extend duration of patent.

1. Notwithstanding anything in the Patent Act, or in patent number sixty-three thousand one hundred and forty-five mentioned in the preamble, the Commissioner of Patents may receive from the Cyclone Woven Wire Fence Company, Limited, the application for a certificate of payment and the usual fees upon the said 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 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 patent.

Existing rights saved.

2. If any person has, within the period between the twenty-sixth day of May, nineteen hundred and five, and the extension hereunder of patent number sixty-three thousand one hundred and forty-five, commenced to manufacture, use and sell in Canada the invention covered by the said patent, such person may continue to manufacture, use and sell such invention in as full and ample a manner as if this Act had not been passed.

No. 136.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting a patent of the Cyclone Woven Wire Fence Company, Limited.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. MACDONELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 137.] **BILL.** [1906.

An Act respecting the City of Toronto.

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

1. The Order made by the Railway Committee of the Privy Council of Canada on the fourteenth day of January, nineteen hundred and four, respecting the construction of a bridge at the foot of Yonge street, across the tracks of the Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company, set out in the schedule to this Act, is hereby validated and confirmed, except that the dates for the commencement and completion of the said bridge shall be the first day of July, nineteen hundred and six, and the first day of December, nineteen hundred and six, respectively, and with the dates so changed is declared to be binding upon the said railway companies, and they are hereby declared to be bound to proceed with the construction of the said bridge by, under and according to the terms of the said order. Confirmation of order respecting construction of Yonge street bridge. Exception as to dates of commencement and completion.

2. In case the construction of the said bridge is not commenced by the said railway companies, or one of them, by the said first day of July, or in case the construction of the said bridge is commenced by the said date and is not completed by the said first day of December, then in either of such cases the said corporation of the city of Toronto may proceed with the construction of, and may construct or may complete the construction of, the said bridge, and may pay the whole of the cost thereof, or such portion as may remain unpaid, together with any damages and costs incurred, or for which the said corporation may be held liable by reason of the construction thereof, and may recover the money so paid out from the said railway companies, or either of them, as a debt, and the certificate of the city engineer as to the construction, completion and cost of the said bridge and the amount or amounts so paid by the said corporation shall be *prima facie* proof against the said railway companies, as to the facts of the said construction, completion, costs and payment and the amount thereof. Time for construction of bridge limited. City of Toronto to construct in case of failure by companies to do so. Certificate of city engineer *prima facie* proof.

SCHEDULE.

ORDER.

Whereas the corporation of the city of Toronto, hereinafter called "the city," having applied, pursuant to the Railway Act, to the Railway Committee of the Privy Council of Canada, for an order for the construction by the Grand Trunk and the Canadian Pacific Railway Companies, or one of them, of a steel and iron bridge at the foot of Yonge street, in the city of Toronto, to be supported by steel columns and masonry piers over the Grand Trunk and Canadian Pacific Companies' tracks on the Esplanade, with the necessary approaches, from the south side of Front street to the north side of Lake street, as shown on the plan submitted and filed under No. 10,908.

And whereas the said committee on the 29th day of September, 1903, heard counsel for the city, the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company and certain private property owners respectively, and duly considered the evidence submitted on their behalf, issued the following decision:—

1. The committee regards the immediate construction of a bridge over the railway tracks in question as necessary for the protection of the travelling public, but are unable to approve of the plans proposed by the city.

2. The plans submitted contemplate the construction of the bridge along the east side of Yonge street crossing the Esplanade at an angle and continuing along the west side of the said street. The committee are of opinion that it is desirable that the bridge should be straight and constructed entirely either on the east or on the west side, thus giving a straight crossing over the railway tracks.

3. In the opinion of the committee, upon the completion of the new bridge, the crossing of the railway tracks, at rail level, will be unnecessary and dangerous. They will, therefore, direct that upon the completion of the bridge, Yonge street, where it crosses the railway, be closed.

4. Whilst the committee are of opinion that it would be more in the public interest that the bridge be constructed on the west than on the east side of Yonge street, still the option to determine this question is left with the city, its opinion to be communicated to the committee not later than the thirty-first October instant, otherwise the committee will approve of the bridge being located on the west side. It will, however, be necessary, whether the bridge be located on the east or on the west side, that Yonge street northerly of the railways be available for traffic, and this involves the widening of the street at the east side in the manner indicated by the city on their application. On this application the city stated that its plan was to acquire a strip of property some forty-four feet in width on the east side of Yonge street, extending southerly to the tracks, as a location for the portion of the bridge northerly of the railways leaving the street available for traffic down to the northern limit of that allowance.

5. Whether the bridge should be located on the east or on the west side, the committee are of opinion that the construc-

tion of the bridge would necessitate such widening of the street, and that the cost thereof and land damages occasioned by the whole work should form part of the cost of the undertaking to be borne by the contributaries in proportions hereinafter mentioned.

6. The committee direct that the corporation of the city of Toronto prepare new plans in accordance with the terms of this memo.

7. The committee, on such plans being approved, will direct the immediate construction of the bridge by the Grand Trunk Railway Company and the Canadian Pacific Railway Company jointly, each of the said companies, for the purpose of securing such immediate construction, contributing one-half of the cost of the undertaking.

8. In the hearing before the committee, it was shown that the bridge would run alongside of property owned by the corporation of the city of Toronto. The committee are of opinion that as respects the property in question the corporation of the city of Toronto, as the owner thereof, should stand in the same position as any private owner, and should have the same right as such private owner to claim compensation for any damage that may be done to its property by the construction of the bridge.

9. The committee are of opinion that the cost of the whole undertaking should be borne by the Grand Trunk Railway Company and the Canadian Pacific Railway Company in equal shares, subject to the following condition.

10. During the argument it was stated on behalf of the Grand Trunk Railway Company that, by contract entered into between that Company and the city, the Company was relieved of any liability towards paying any portion of the cost of the bridge, and that, therefore, the city would be bound to indemnify the Company should it make any advance in respect of the undertaking. Counsel for the city and the Company requested that this question be left to the courts for determination. The committee accede to this request. In directing the Grand Trunk in the first instance to bear one-half of the cost, the committee do not intend to override any of the terms of any contract between the parties; if, however, the question so raised be decided by the courts, and the Grand Trunk's contention be sustained, the committee will then take such action as is necessary on its part to give effect to the judgment.

11. It was suggested during the hearing of the case that the Toronto Street Railway Company would probably use the bridge for carrying its traffic down to the water side, and, therefore, should be required to pay a portion of the cost. The committee, however, have no jurisdiction at the present time to make any order against the Toronto Street Railway Company in respect of the matter. Their tracks do not cross the railway tracks, nor are they applying for leave to cross, and may never do so. If, however, application should hereafter be made for the right to have the Toronto Street Railway use the bridge, the committee will, on such application, determine upon what terms such right may be granted.

12. The committee direct that such orders as may be necessary to give effect to this decision be from time to time prepared,

and that in the meantime a copy of the decision be furnished to the corporation of the city of Toronto, the Grand Trunk Railway Company, the Canadian Pacific Railway Company and the private property owners who were represented before the committee, and that the formal order giving effect to this decision be issued so soon after the thirty-first October instant, as the proposed new plans may be submitted to and approved by the committee.

And whereas "the city" having submitted plans in accordance with clause 6 of the said decision, and recommended that the bridge be located on the west side of Yonge street, the said committee, subject to the sanction of the Governor in Council, hereby approves of the said plans and orders and directs as follows, that is to say:

1. That the said bridge shall be constructed of iron and steel with the necessary approaches, as and where located upon the said plan, at the foot of Yonge street on the west side of the street on a straight line from Front street to Lake street, to be supported by steel columns and masony piers over the tracks of the Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company on the Esplanade, as shown on the said plans.

2. That with a view to overcoming the inconvenience caused by the construction of the said bridge on the westerly side of Yonge street, it is ordered that the Grand Trunk Railway of Canada and the Canadian Pacific Railway Company shall expropriate or otherwise acquire a strip of property about forty-four feet in width on the east side of Yonge street extending southerly from Front street to Esplanade street, as shown upon the said plan, and that such strip of property shall be used as a diversion of Yonge street and as and for a highway for the purpose of and to form part of Yonge street. The said expropriation shall be made and Yonge street so widened before the commencement of the erection of the bridge, or so soon thereafter as may be reasonably possible, and the cost of such expropriation, widening and all damages occasioned thereby shall be borne by the Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company in equal shares.

3. The said companies shall commence the construction of the said bridge and works in connection therewith on or before the first day of April, 1904, and the entire works shall be completed on or before the first day of October, 1904.

4. The said bridge when completed shall be thereafter duly maintained by the said two Companies at their own cost and expense in equal shares.

5. Upon the completion of the bridge the city shall close, pursuant to the provisions of the Municipal Act, that portion of Yonge street which crosses the tracks of the said two companies.

6. The detail, plans of the said bridge and the works of construction thereof shall be approved of by the Government chief engineer of Railways and Canals.

7. The committee in other respects confirm its said decision of the 3rd of October, 1903, and orders accordingly.

W. S. Fielding,
Chairman.

Ottawa, January 14, 1904.

No 137.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the City of Toronto.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. MACDONELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 138.] **BILL.** [1906.

An Act to incorporate the Toronto Union Station Company.

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

1. Sir Thomas G. Shaughnessy, Charles M. Hayes, David McNicoll, Earl H. Fitzhugh, Francis H. McGuigan and James William Leonard, all of the city of Montreal, together with such persons as become shareholders in the company, are incorporated under the name of "The Toronto Union Station 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 shall be the provisional directors of the Company, and should any provisional director die or resign before the first election of directors, the vacancy may be filled by the remaining provisional directors. Provisional directors.

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

5. The head office of the Company shall be in the city of Toronto. Head office.

6. The annual meeting of the shareholders shall be held on the second Tuesday in March. Annual meeting.

7. The number of directors shall be six, one or more of whom may be paid officers of the Company. Number of directors.

8. The directors may annually appoint from among themselves an executive committee composed of not more than three directors, for such purposes and with such duties as the directors determine by by-law, and the president of the Company shall be ex-officio a member of such committee. Executive committee of directors.

9. The Company may acquire all lands or interests therein, rights and easements which the directors consider requisite or desirable, and may construct, provide, maintain and operate Powers of Company. Lands.

Union passenger station.

at the city of Toronto a union passenger station with such buildings, structures, tracks, sidings, connections, yards, equipment and appliances for the supply of heat, light, water and power, terminal and other facilities as are suitable or advantageous for the efficient, expeditious and economical handling and interchange of all passenger, express and mail traffic of such railway companies as desire to use the said station and facilities, or for the convenience and accommodation of all business usually appertaining to a terminal union passenger station, and may from time to time thereafter enlarge, improve, renew and increase such passenger station, buildings, structures, tracks, sidings, connections, yards, equipment and appliances and terminal and other facilities in such manner and to such extent as the business of the Company renders expedient, and in connection with its undertaking may erect, manage or control hotels, restaurants, offices, shops, storage and other rooms and conveniences and lease them or any portion thereof, and may enter into agreements with any telegraph or telephone company respecting the installation of its apparatus in the said station, the carrying on of the business of any such company therein and the payment of such rents, tolls and charges therefor as are from time to t me fixed by the Company, and may establish and operate for hire a service for the conveyance and transfer of passengers and baggage by means of omnibuses, cabs or other road conveyances, and may acquire, hold, guarantee, pledge and dispose of shares in any company having for one of its objects the establishment or operation of such a service.

Hotels, shops, storage, etc.

Telegraphs and telephones.

Transfer service.

Shares in transfer company.

Grand Trunk Railway Company may convey Union Station property to the Company.

10. The Grand Trunk Railway Company of Canada is hereby empowered to sell, assign, transfer and convey to the Company, upon such terms, conditions and for such considerations as are agreed upon between the directors of the said company and the Company, the whole or any part of the property n the city of Toronto known as the Union Station property, together with all appurtenances thereto belonging or used in connection therewith, and also any and all right, title and interest of the said the Grand Trunk Railway Company of Canada in any and all lands heretofore or hereafter purchased, leased or otherwise acquired by the said company for the purposes of the undertaking of the Company, including any lands or interests therein, rights and easements heretofore or hereafter acquired by the Grand Trunk Railway Company of Canada under and by virtue of the agreement between the corporation of the city of Toronto and the said the Grand Trunk Railway Company of Canada, bearing date the twenty-second day of April, one thousand nine hundred and five, a copy of which is set out in schedule B to chapter 84 of the statutes of 1905 of Ontario, or under the authority of an order of the Board of Rai way Commissioners for Canada, dated the twenty-third day of February, one thousand nine hundred and five, a copy of which is set out in the schedule to this Act, and any conveyance to the Company of the said lands or interest therein, r ghts and easements duly executed by the Grand Trunk Railway Company of Canada shall vest in the Company the lands, interests, rights and easements set out and described in such conveyance freed and discharged from al

securities, charges and encumbrances, if any, of every kind and nature whatsoever, created or made a charge thereon by the Grand Trunk Railway Company of Canada, or to which the same may have become subject by virtue of the provisions of any Act affecting the said company passed prior to the execution of such conveyance.

Canadian Pacific Railway Company may convey to the Company lands in city of Toronto.

11. The Canadian Pacific Railway Company is hereby empowered to sell, assign, transfer and convey to the Company, upon such terms and conditions and for such considerations as are agreed upon between the directors of the said company and the Company, so much of any lands in the city of Toronto owned by the Canadian Pacific Rai way Company, or such right, tit'e or interest therein or thereto held or enjoyed by the said company as the directors of the Company deem it expedient and advisable to acquire for the purposes of the Company, and any conveyance to the Company of the said lands or any interest therein duly executed by the Canadian Pacific Railway Company shall vest in the Company the lands or interests set out and described in such conveyance freed and discharged from all securities, charges and encumbrances, if any, of every kind and nature whatsoever, created or made a charge thereon by the Canadian Pacific Ra'way Company or to which the same may have become subject by virtue of the provisions of any Act affecting the said company passed prior to the execution of such conveyance.

Upon execution of conveyances Company to have powers and authority vested in Grand Trunk Company by Board of Railway Commissioners.

12. Upon the due execution and delivery to the Company of the conveyances provided for in section 10 of this Act, the Company shall be vested with all the powers and authority conferred upon the Grand Trunk Railway Company of Canada by the said order of the Board of Railway Commissioners for Canada, dated the twenty-third day of February, one thousand nine hundred and five, a copy of which is set out in the schedule to this Act, to the same extent as if the Company had been named therein instead of the Grand Trunk Railway Company of Canada.

Agreement between the Company and other companies.

13. The Grand Trunk Railway Company of Canada and the Canadian Pacific Railway Company are hereby respectively empowered to enter into agreements with the Company, and the Company may enter into agreements with the said companies, or either of them, or with any other company in Canada so empowered, respecting the use of the whole or any part of the undertaking and property of the Company, upon and subject to such terms and conditions, and to the payment of such rental as will yield a fair and reasonable proportionate return upon all the outlay for and in respect of the Company's undertaking, and of such charges, and compensation for services to be rendered by the Company, as may be determined and agreed upon between the directors of the companies parties to such agreement, and any such agreements shall upon being sanctioned and approved of by the Board of Railway Commissioners for Canada be effective for the purposes therein set forth and binding upon the parties thereto.

To be sanctioned by Board of Railway Commissioners.

Issue of securities.

14. The Company may issue bonds, debentures or other securities to an amount not exceeding in the whole three million dol'ars, or the equivalent thereof in sterling money of Great Britain, and secure the same by a mortgage upon the whole or part of the property, assets and revenues of the Company. Any such bonds, debentures or other securities may be issued in whole or in part in the denomination of dollars or pounds sterling, and may be made payable both as to principal and interest in Canada, the United States, or Europe.

Currency of issue.

Grand Trunk Company and Canadian Pacific Company may acquire stock of the Company and guarantee principal and interest of securities.

15. The Grand Trunk Ra lway Company of Canada and the Canadian Pacific Railway Company are hereby respectively empowered to subscribe for, take and hold shares of the capital stock of the Company to the extent of one-half each of the total of such capital stock from time to time issued, and the said companies may from time to time jointly or severally, and upon such terms and conditions as the directors of the said companies and the Company respectively agree upon, guarantee the payment of the principal and interest of any bonds, debentures or other securities which may from time to time be issued by the Company for the purposes of its undertaking.

By-laws and regulations and management of station.

16. The Company may, subject to the sanction and approval thereof by the Board of Railway Commissioners for Canada, make all such by-laws, rules and regulations as the directors of the Company deem necessary and proper for the control, management, working and use of the said union passenger station and facilities appurtenant thereto and of any other premises and property of the Company, including the use thereof by the public, and for the regulation and control of all vehicular traffic to, from and at the said station.

1903, c. 58, to apply.

17. The Railway Act, 1903, shall, so far as it is applicable and is not inconsistent with this Act, apply to the Company and its undertaking.

Time for construction limited.

18. The construction of the said union passenger station and appurtenances shall be completed on or before the twenty-third day of February, one thousand nine hundred and eight, or such later date as may be determined and sanctioned by the Board of Railway Commissioners for Canada.

SCHEDULE.

THE BOARD OF RAILWAY COMMISSIONERS FOR CANADA.

Meeting at Ottawa, Thursday, the 23rd day of February, A.D. 1905.

Present:—A. C. Killam, K.C., Chief Commissioner; Hon. M. E. Bernier, P.C., N.P., LL.D., Deputy Chief Commissioner; James Mills, M.A., LL.D., Commissioner.

In the matter of the application of the Grand Trunk Railway Company of Canada, hereinafter called "the Applicant Company,"

to the Board of Railway Commissioners for Canada, under the provisions of the Railway Act, 1903, for authority to take and expropriate certain lands additional to those they now occupy lying north of Esplanade street and between Yonge and York streets, in the city of Toronto, in the province of Ontario, and required for the purposes of the said Company;

This application having come on for hearing, upon notice to the several parties interested, on the following days, namely: The 26th day of May, the 22nd day of July, the 12th day of October, the 27th day of October, the 9th day of December, and the 22nd day of December, in the year 1904, and the 16th day of February in the year 1905, in the presence of the following parties or their counsel: The Grand Trunk Railway Company of Canada; the Canadian Pacific Railway Company; the James Bay Railway Company; the Corporation of the City of Toronto; the W. W. Baldwin Estate; the Eckardt Company; A. R. Williams; Michael McLaughlin; the Land Security Company; the Dominion Transport Company; the Toronto General Trusts Company; the J. B. Smith Estate; the H. W. Petrie Co.; and the owners of the Walker House.

Upon hearing evidence and what was alleged by the said parties or their counsel, and it appearing to the Board that the Applicant Company requires, at the city of Toronto, in the province of Ontario, for the convenient accommodation of the public and the traffic on its railway, more ample space than it now possesses or may take under section 138 of the Railway Act, 1903, and that authority should be given to the Applicant Company to take the lands hereinafter mentioned for the purposes hereinafter mentioned and upon and subject to the conditions following:

Now therefore, the Board of Railway Commissioners for Canada doth hereby order and direct subject to the terms, conditions, and stipulations hereinafter set forth as follows:—

That the Applicant Company be and it is hereby authorized to take the following described lands as shown on the plan filed with the Board under number 13972, file number 588, and expropriate the same for the purposes hereinafter set forth, that is to say.

All the lands coloured pink on the said plan situate, lying, and being in the said city of Toronto, in the province of Ontario, and being composed of all and singular those certain parcels or tracts of lands and premises described as follows:—

1. All and singular that certain parcel or tract of land and premises, in the city of Toronto, composed of part of water lot 38, registered plan 5A, and the lands adjoining the same to the north, particularly described as follows:—

Commencing on the southerly limit of Front street, at a point distant 115 feet 7 inches, measured westerly thereon from the west limit of Yonge street; thence southerly parallel with Yonge street 160 feet, to the northerly limit of a lane 20 feet wide, leading from Yonge street to Bay street; thence westerly along that limit 29 feet; thence northerly parallel with Yonge street 160 feet to the southerly limit of Front street; thence easterly along that limit 28 feet 11 inches, to the place of beginning; together with a right of way over the above mentioned lane in common with others entitled thereto.

2. All and singular that certain parcel or tract of land and premises, in the city of Toronto, composed of part of water lot 38, registered plan 5A, and the lands adjoining the same to the north, particularly described as follows:—

Commencing on the southerly limit of Front street at a point distant 144 feet 6 inches, measured westerly thereon from the west limit of Yonge street; thence southerly, parallel with Yonge street, 160 feet, to the northerly limit of a lane 20 feet wide leading from Yonge street to Bay street; thence westerly along that limit 29 feet; thence northerly, parallel with Yonge street, 160 feet to the southerly limit of Front street; thence easterly along that limit 28 feet 1 inch to the place of beginning; together with a right of way over the above mentioned lane in common with others entitled thereto.

3. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot no. 38, registered plan 5A, and lands adjoining the same to the north, particularly described as follows:—

Commencing on the southerly limit of Front street at the intersection of the centre line of the division wall between warehouses numbers 11 and 13, said point being distant 172 feet 7 inches measured westerly along said limit of Front street from the west limit of Yonge street, thence southerly along said centre line of wall 160 feet to the north limit of a lane 20 feet wide, thence westerly along that 4 feet and 3 inches, thence northerly parallel with Yonge street 160 feet to the south limit of Front street, thence easterly along that limit 4 feet and 3 inches to the place of beginning.

4. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot 39Q, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the southerly limit of Front street at a point distant 176 feet 10 inches measured southwesterly along said limit of Front street from the west limit of Yonge street, thence southerly parallel with Yonge street 163 feet to the north limit of a lane 20 feet wide (leading from Yonge street to Bay street), thence westerly along that limit 23 feet 5 inches to the intersection of the centre line of the division wall between warehouses Nos. 13 and 15, thence northerly along said centre line 163 feet to the southerly limit of Front street; thence easterly along that limit 23 feet 5 inches to the place of beginning; together with a right of way over the above mentioned lane in common with others entitled thereto.

5. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot number 39Q, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the southerly limit of Front street at the intersection of the centre line of the division wall between warehouses numbers 13 and 15, said point being distant 200 feet 4 inches measured westerly thereon from the west limit of Yonge street; thence southerly along said centre line 163 feet to the north limit of a lane 20 feet wide (leading from Yonge street to Bay street), thence westerly along that limit 26 feet 11 inches to the intersection of the centre line of the division wall between

warehouses numbers 15 and 17; thence northerly along said centre line 163 feet to the southerly limit of Front street; thence easterly along that limit 26 feet 11 inches to the place of beginning together with a right of way over the above mentioned lane in comon with others entitled thereto.

6. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot no. 39Q, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing to the southerly limit of Front street at the centre line of the division wall between houses nos. 15 and 17, said point being distant 227 feet 3 inches measured westerly thereon from the west limit of Yonge street; thence southerly along said centre line 163 feet to the north limit of a lane 20 feet wide, leading from Yonge street to Bay street; thence westerly along that limit 26 feet 11 inches to the intersection of the centre line of the division wall between warehouses nos. 17 and 19; thence northerly along said centre line 163 feet to the southerly limit of Front street; thence easterly along that limit 26 feet 11 inches to the place of beginning; together with a right of way over the above mentioned lane in common with others entitled thereto.

7. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot number 390, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the southerly limit of Front street at the centre line of the division wall between warehouses numbers 17 and 19, said point being distant 254 feet 2 inches measured westerly thereon from the west limit of Yonge street; thence southerly along said centre line 163 feet to the northerly limit of a lane 20 feet wide (leading from Yonge street to Bay street); thence westerly along that limit 27 feet 5 inches to the intersection of the centre line of the division wall between warehouses numbers 19 and 21; thence northerly along said centre line 163 feet to the southerly limit of Front street; thence easterly along that limit 27 feet 5 inches to the place of beginning; together with a right of way over the above mentioned lane in common with others entitled thereto.

8. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot 40Q, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the southerly limit of Front street at the intersection of the centre line of the division wall between warehouses numbers 21 and 23, said point being distant 295 feet 1 inch measured easterly along said limit of Front street from the east limit of Bay street; thence southerly along said centre line 160 feet to the northerly limit of a lane 20 feet wide (leading from Yonge street to Bay street); thence easterly along said limit of lane 25 feet 7½ inches to the intersection of the centre line of the division wall between warehouses numbers 19 and 21; thence northerly along said centre line to the southerly limit of Front street; thence westerly along that limit 25 feet 9¼ inches to the place of beginning; together with a

right of way over the above mentioned lane in common with others entitled thereto.

9. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot 40Q, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the south limit of Front street at the intersection of the centre line of the division wall between warehouses numbers 25 and 27, said point being distant 244 feet 5½ inches measured easterly along said limit of Front street from the east limit of Bay street; thence southerly along said centre line 160 feet to the north limit of a lane 20 feet wide (leading from Yonge street to Bay street) at a point distant 243 feet 6½ inches measured easterly thereon from the east limit of Bay street; thence easterly along said limit of lane 51 feet 3½ inches to the intersection of the centre line of the division wall between warehouses numbers 21 and 23; thence northerly along said centre line 160 feet to the south limit of Front street; thence westerly along that limit 50 feet 7¾ inches to the place of beginning; together with a right of way over the above mentioned lane in common with others entitled thereto.

10. All and singular that certain parcel or tract of land and premises in the city of Toronto, composed of part of water lot 40, registered plan 5A, and lands adjoining to the north, more particularly described as follows:—

Commencing on the south side of Front street at the intersection of the production northerly of the west limit of said lot 40 as now defined by the centre line of the division wall between warehouses numbers 27 and 29; said point being distant 218 feet 8½ inches measured easterly along said limit of Front street from the east limit of Bay street; thence southerly along said centre line of wall 160 feet to the north limit of a lane 20 feet wide (leading from Yonge street to Bay street) at a point thereon distant 217 feet 1 inch measured easterly from the east limit of Bay street; thence easterly along said limit of lane 26 feet 5½ inches to the intersection of the centre line of the division wall between warehouses nos. 25 and 27; thence northerly along said centre line 160 feet to the south limit of Front street; thence westerly along that limit 25 feet 9 inches to the place of beginning; together with a right of way over the above mentioned lane in common with other entitled thereto.

11. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of water lots numbers 39Q, and 40Q, and lands adjoining the same to the north, more particularly described as follows:

Commencing on the southerly limit of Front street at the intersection of the production northerly of the division line between water lots numbers 40Q, and 41P, as now defined by the centre line of the division wall between warehouses numbers 27 and 29, said point being distant 218 feet 8½ inches measured easterly along said limit of Front street from the east limit of Bay street; thence southerly along said centre line of wall and production southerly thereof 180 feet to the southerly limit of a lane 20 feet wide (leading from Yonge street to Bay street) thence easterly along that limit 208 feet to the intersection of the division line between water lots 38 and 39; thence northerly

along that division line and production thereof 183 feet to the southerly limit of Front street; thence westerly along that limit 206 feet 10 inches to the place of beginning.

12. All and singular that certain parcel or tract of lands and premises in the city of Toronto composed of part of the east half of water lot 41P, registered plan 5A, and lands adjoining the same to the north particularly described as follows:—

Commencing on the north limit of the Esplanade at the intersection of the division line between water lots numbers 40 and 41P; thence northerly along that division line and along the northerly production thereof to the south limit of Front street, thence westerly along that limit 76 feet 9½ inches to the intersection of the production northerly of the division line between the east and west halves of said water lot 41P; thence southerly along that production and along that division line to the north limit of the Esplanade; thence easterly along that limit to the place of beginning.

13. 1. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of the west half of water lot 41P, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the north limit of Esplanade at the intersection of the division line between water lots numbers 41P and 42; thence northerly along that division line and the northerly production thereof to the south limit of Front Street; thence easterly along that limit 76 feet 5½ inches to the intersection of the northerly production of the division line between the east and west halves of said water lot 41P; thence southerly along that production and along that division line to the north limit of the Esplanade; thence westerly along that limit to the place of beginning; excepting thereout the lane twenty feet wide which crosses the above described lands leading from Bay street to Yonge street.

2. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot 42, registered plan 5A, and lands adjoining to the north, more particularly described as follows: Commencing at the intersection of the south limit of Front street with the east limit of Bay street; thence southerly along said limit of Bay street 90 feet; thence easterly at right angles to Bay street 66 feet 10 inches to the centre line of the division wall between warehouses numbers 39 and 41; thence northerly along said centre line to the south limit of Front street; thence westerly along that limit 66 feet more or less to the place of beginning.

3. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of part of water lot 42Q, registered plan 5A, and lands adjoining to the north, more particularly described as follows: Commencing at a point on the east limit of Bay street distant 90 feet, measured southerly thereon from the south limit of Front street; thence easterly at right angles to Bay street 66 feet 10 inches to the centre line of the division wall between warehouses numbers 39 and 41; thence southerly along said centre line and along the easterly face of the building on the herein described premises 106 feet to the southeast angle thereof; thence westerly along the

southerly face of said building 66 feet 10 inches to the east limit of Bay street; thence northerly along that limit 106 feet to the place of beginning.

14. All and singular those certain parcels or tracts of land and premises in the city of Toronto composed of,—

1st. Of part of the west half of water lot number 41P, registered plan 5A and lands adjoining the same to the north, particularly described as follows: Commencing on the north limit of the Esplanade at the intersection of the division line between water lots numbers 41 and 42; thence northerly along that division line and the northerly production thereof to the south limit of Front street; thence easterly along that limit 76 feet 5½ inches to the intersection of the northerly production of the division line between the east and west halves of said water lot 41P; thence southerly along that production and along that division line to the north limit of the Esplanade; thence westerly along that limit to the place of beginning;

2nd. Of part of water lot 42Q, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows: Commencing at the interseciton of the south limit of Front street with the east limit of Bay street; thence easterly along said limit of Front street 66 feet more or less to the production northerly of the division line between water lots numbers 41 and 42Q; thence southerly along that production and along that division line to the northerly limit of the Esplanade; thence westerly along that limit 68 feet more or less to the east limit of Bay street; thence northerly along that limit 398 feet 6 inches to the place of beginning.

15. All and singular that certain parcel or tract of land and premises in the city of Toronto, being composed of part of water lot no. 42Q, according to plan no. 5A, filed in the Registry Office for the Eastern Division of said city, more particularly described as follows: Commencing on the easterly limit of Bay street at a point distant 196 feet measured southerly thereon from the south limit of Front street; thence easterly at the right angles to Bay street sixty-six feet more or less to the easterly limit of said lot No. 42Q; thence southerly along that limit to the northerly limit of Esplanade street; thence westerly along that limit sixty-eight feet more or less to the easterly limit of Bay street; thence northerly along that limit two hundred and two feet more or less to the place of beginning.

16. All and singular that certain parcel or tract of land and premises in the city of Toronto composed of lots numbers one to fourteen, both inclusive, and Block A, together with the lanes as shown on registered plan number 162E, particularly described as follows: Bounded on the north by the south limit of Front street, on the east by the west limit of Bay street, on the south by the north limit of the Esplanade, and on the west by the division line between water lots numbers forty-six and forty-seven, registered plan 5A, and the production northerly thereof.

17. All and singular that certain parcel or tract of land and premises in the city of Toronto being composed of lots numbers eight and nine on the south side of Front street, ac-

cording to registered plan number 162E, having a total frontage of 74 feet 4¼ inches by a depth of 150 feet to a lane.

18. All and singular those certain parcels and tracts of land and premises in the city of Toronto being composed of,—

1st. Lots numbers one to seven, both inclusive, according to registered plan number 162E, together with parts of certain lanes adjoining the same, more particularly described as follows: Commencing at the south-easterly angle of said lot number one being at the intersection of the northerly limit of Esplanade street with the westerly limit of Bay street, thence northerly along that limit to the north-easterly angle of said lot number seven, thence westerly along the northerly limit of said lot and production thereof to the westerly limit of the lane shown in rear of said lots, thence southerly along said westerly limit of lane to the northerly limit of Esplanade street; thence easterly along that limit to the place of beginning.

2nd. Lots ten to fourteen, both inclusive, according to registered plan number 162E together with parts of certain lanes adjoining the same, particularly described as follows: Commencing at the north-easterly angle of said lot number 10, thence southerly along the limit between lots numbers 9 and 10 to the north limit of a lane; thence easterly along that limit to the west limit of Bay street; thence southerly along that limit to the north-east angle of lot number seven according to said plan; thence westerly along the northerly limit of said lot and production thereof to the westerly limit of the lane in rear of said lot number 7; thence northerly along said limit of lane to the southerly limit of the lane in rear of the lots fronting on Front street; thence westerly along that limit to the westerly limit of said lane; thence northerly along that limit and along the westerly limit of lot 14 aforesaid to the south limit of Front street; thence easterly along that limit to the place of beginning.

19. All and singular that certain parcel or tract of land and premises, being composed of block A on the north side of Esplanade street, n the city of Toronto, according to registered plan number 162E.

20. All and singular that certain parcel or tract of land and premises, in the city of Toronto, composed of part of water lot number 47, registered plan number 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the southerly limit of Front street, at the intersection of the east limit of Lorne street; thence easterly along that limit of Front street one hundred and one feet to the intersection of the production northerly of the division line between water lots numbers 46 and 47 on said plan; thence southerly along that production and along that division line to the north limit of the Esplanade; thence westerly along that limit one hundred and one feet to the east limit of Lorne street; thence northerly along that limit to the place of beginning.

21. All and singular that certain parcel or tract of land and premises, in the city of Toronto, being composed of part of the lands lying between the south side of Front street and the top of the bank to the north of water lot number 48, registered plan 5A, more particularly described as follows:—

Commencing at the intersection of the south limit of Front street with the west limit of Lorne street; thence southerly along

the west limit of Lorne street one hundred and seventy-five feet; thence westerly parallel with Front street thirty-six feet three inches; thence northerly parallel with Lorne street one hundred and seventy-five feet to the south limit of Front street; thence easterly along that limit thirty-six feet three inches to the place of beginning.

22. All and singular that certain parcel or tract of land and premises, in the city of Toronto, composed of part of water lot number 49, registered plan 5A, and lands adjoining the same to the north, more particularly described as follows:—

Commencing on the south limit of Front street at the intersection of the production northerly of the division line between water lots numbers 48 and 49, registered plan 5A, said point being distant ninety feet measured westerly along that limit from the west l mit of Lorne street; thence southerly along that production and along that division line three hundred and ninety-eight feet six inches to the intersection of the north-easterly limit of York street as diverted by city by-law no. 3113; thence north-westerly along that limit to the intersection of the division line between water lots numbers 49 and 50, registered plan 5A, thence northerly along that division line and production thereof to the south limit of Front street; thence easterly along that limit seventy-three feet to the place of beginning.

23. All and singular those certain parcels or tracts of land and premises in the city of Toronto, being composed of parts of water lot number 48, according to plan 5A, filed in the Registry Office for the eastern division of the said city, and of the land adjoining the same to the north, more particularly described as follows, that is to say:—

1st. Commencing at the intersection of the north limit of Esplanade street with the west limit of Lorne street as widened; thence northerly along that limit to a point thereon distant one hundred and seventy-five feet measured southerly thereon from the south limit of Front street; thence westerly parallel with Front street ninety-one feet more or less to the west limit of said lot number 48; thence southerly along that limit to the north-easterly limit of York street diversion; thence south-easterly along that limit to the north limit of Esplanade street; thence easterly along that limit thirty-three feet more or less to the place of beginning.

2nd. Commencing on the south limit of Front street at a point distant thirty-six feet three inches measured westerly thereon from the west limit of Lorne street; thence southerly parallel with Lorne street one hundred and seventy-five feet; thence westerly parallel with Front street fifty-three feet nine inches to the division line between water lots numbers 48 and 49, registered plan 5A; thence northerly along that division line and production thereof one hundred and seventy-five feet to the south limit of Front street; thence easterly along that limit fifty-three feet nine inches to the place of beginning; together with a right of way over a lane twelve feet wide leading easterly to Lorne street from the south-easterly corner of the above described lands.

23. All and singular that certain parcel or tract of land and premises in the city of Toronto, being composed of parts of

water lots numbers 50 and 51 according to plan number 5A, filed in the Registry Office for the eastern division of said city and parts of the land known as the Walks and Gardens property lying to the northward thereof, more particularly described as follows; being all that part of said lots bounded as follows:—

On the west by part of the east limit of York street; on the south by part of the north-easterly limit of York street diversion; on the east by part of the easterly limit of said lot number fifty (50) and production northerly thereof; and on the north by part of the southerly limit of Front street.

Saving out of the said above described parcels, and each of the same, so much thereof as is used and enjoyed as a public highway.

2. That the lands taken are to be used only as a passenger station and passenger station yards therefor, and for such purposes as are necessarily or usually connected therewith.

3. That, subject to the provisions of this order, the above described lands and any buildings and constructions erected or placed thereon shall be a union passenger station, and shall be available for use by all steam railways which now enter the said city, or may hereafter do so; the terms and conditions of such use shall be agreed upon, settled and adjusted in the usual manner, and upon reasonable and customary terms, by the several railway companies interested, subject to the approval of the Board, and to be revised and amended from time to time as occasion may require; and in case of the railway companies failing to agree upon the said terms and conditions or revisions thereof, the same shall be determined by order of the Board.

4. That there shall be expended by the Applicant Company on the buildings of the said station and the appurtenances to be placed on the said lands, the sum of at least one million dollars, and that the construction thereof shall be commenced within one year and be completed within three years from the date hereof, or within such further period as may be sanctioned by the Board

5. That the said station buildings and appurtenances shall be located and constructed in accordance with plans to be agreed upon by the railway companies interested, and approved by the Board. In case the companies cannot agree, the po nts in dispute shall be determined by the Board. The said plans and the stations and other buildings to be erected on the said lands shall comply with the by-laws of the said city in that behalf; and in case the existing by-laws are amended, and the Company or companies do not wish to comply with the provisions of such amendments, any dispute arising therefrom shall be referred to and determined by the Board.

6. That the Applicant Company make provision in the present Union Station and yards, in the city of Toronto, for the passenger trains and traffic of the James Bay Railway Company, as soon as the said Company requires the use thereof, and until the proposed New Union Station, hereby authorized, is completed and ready for use,—which provision and accommodation shall be paid for by the James Bay Railway Company on such terms as may be agreed upon between it and the Applicant Company; and in case the interested companies cannot agree on

the amount to be paid or on other terms or conditions, the points in dispute shall be settled by order of the Board.

7. That the Applicant Company shall, if thereto required, by notice in writing given to it by or on behalf of any owner of or party interested n any of the said lands at any time before the appointment of an arbitrator or the last of the arbitrators to be appointed under the Railway Act, 1903, to ascertain the amount of the compensation to be paid for any such land or interest thereon, pay to such owner or party interested compensation to be ascertained, fixed, and awarded with reference to and as of the date of the first receipt by such owner or party interested, or the predecessor in title or interest of such owner or party, of notice of intention to take the land of such owner, or in which such party is interested, or of the proposed application to this Board for authority to take the same, together with interest thereon at the rate of 5 per cent per annum from that date until payment; and the Applicant Company shall allow the arbitrator or arbitrators who may be appointed to ascertain such compensation, to ascertain, fix and award the same with reference to and as of the date aforesaid, instead of with reference to date otherwise provided for by the Railway Act, 1903; provided that in the case of any owner or party interested in any of such lands, who has been in receipt of rent for or in the beneficial occupation and use of any part of such lands at any time since the receipt of such first notice as aforesaid, compensation shall be ascertained and paid for such part only with reference to the date fixed for the purpose by the said Act and to the amount by said Act required.

8. That the Applicant Company, for the purpose of access to, egress from and the use of the said lands, station, and appurtenances by it and any other railway companies shall be and it is hereby allowed, authorized and empowered to carry, place, operate and use upon and across the following streets and highways, in the city of Toronto, that is to say:—

York street, York street Diversion, Bay street, Lorne street and Esplanade street such sets and numbers of tracks of its said railway, and in such manner and according to such plans and upon such terms and conditions as this Board shall from time to time authorize and prescribe, but at all times conformably to the Rail- Act, 1903, and any amendments thereof.

9. That upon such street or highway, or portion thereof, being lawfully closed and ceasing to be a highway, such Applicant Company shall be and it is hereby authorized to take or acquire the lands forming the soil of so much thereof as shall be closed and have ceased to be a highway, the compensation, if not settled by agreement, to be ascertained with reference to the date fixed by the Railway Act, 1903, and to the amount required by said Act.

10. If that portion of Bay Street, south of Front street, and shown in brown on the said plan, be closed and cease to be a highway, provision shall be made at or near Bay street, at the cost of the Applicant Company, for access from Front street and Lake street, and vice versa, by a bridge or other safe and reasonable means above track level, for the use of foot passengers; and the plans and specifications for the said provisions shall first be submitted to the Board for inspection and approval.

11. The Applicant Company shall, within three months from the date hereof, proceed to remove the debris resulting from the fire on the land within the area covered by the application, and push to completion, as soon as possible, the work of removing all rubbish and waste materials from the said areas, provided that in case of the Applicant Company being unable to obtain possession of any such lands for the purpose, this time may be extended by the Board as to any part of said land.

12. The Applicant Company in accepting this order for expropriation, is understood and deemed to have agreed that the said shall be acquired, and the said work shall be undertaken and prosecuted to completion, without undue or unnecessary delay, and in accordance with and subject to the terms of this order and the direction of the Board.

13. Unless the Applicant Company notify the Board of its acceptance of this order on or before the tenth day of March, 1905, the said application shall be forthwith dismissed.

14. All questions as to the closing or acquisition of Station street or the placing of railway tracks thereon, and the terms and conditions thereof, are hereby reserved to be settled by agreement between the Applicant Company and the city of Toronto, or by further order of the Board.

15. The cost of the said application, in the event of its dismissal are reserved to be subsequently disposed of by order of the Board.

A. C. KILLAM,
Chief Commissioner,
Board of Railway Commissioners for Canada.

Board of Railway Commissioners
for Canada.

No. 138.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Toronto Union Station Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. MACDONELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 139.] **BILL.** [1906.

An Act respecting the Northern Commercial Telegraph Company (Limited).

Preamble. 1898, c. 111; 1899, c. 120.

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

Capital increased.

1. The capital stock of the Northern Commercial Telegraph Company (Limited) is hereby increased to seven hundred and fifty thousand pounds sterling, divided into shares of one pound each.

1898, c. 111, s. 8 amended.

2. Paragraph (*a*) of section 8 of chapter 111 of the statutes of 1898 is repealed and the following is substituted therefor:—

Telegraph and telephone lines.

"(*a*) construct, maintain and operate lines of electric telegraph and telephone, by means of cables, through the waters on the west coast of British Columbia or elsewhere in Canada and the necessary land connections at each end of such cables, and land lines, or by continuous land lines; and in, under, upon and across any water, and the shore or bed thereof, and upon, along, across or under any highway or public place; provided that such lines shall be constructed and maintained so as not to interfere with the public use of such highways, or interrupt the navigation of any navigable water; and provided that nothing herein contained shall give the Company the right to build a bridge over any navigable water."

No. 139.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Northern Commercial Telegraph Company (Limited).

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 140.] **BILL.** [1906.

An Act respecting the Southern Central Pacific Railway Company.

Preamble.

1903, c. 191.

WHEREAS James Whalen, a provisional director of the Southern Central Pacific Railway Company, 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 : Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Section 1 amended.

Incorporators.

1. Section 1 of chapter 191 of the statutes of 1903, incorporating the Southern Central Pacific Railway Company, hereinafter called "the Company," is amended by striking out of the said section the words "Ebenezer F. B. Johnston, of the city of Toronto, in the province of Ontario, John Milne, of the city of Duluth, in the state of Minnesota, one of the United States."

Section 2 amended.

Provisional directors.

2. Section 2 of the said Act is repealed and in lieu thereof it is enacted that J. D. McLennan, of the city of Cleveland, in the state of Ohio, one of the United States, and James Whalen, of the town of Port Arthur, Patrick F. Cronin, of the city of Toronto, Richard A. Hazelwood, of the city of Toronto, and Benjamin W. Folger, of the city of Kingston, all in the province of Ontario, shall be the provisional directors of the Company.

Branch line authorized.

3. The Company may lay out, construct and operate a branch line of its railway from the main line near Skaist River, in the province of British Columbia, thence northerly crossing the South Thompson River at or near Kamloops, thence north-easterly, passing Myrtle Lake, through the Yellow Head Pass and through the provinces of Alberta and Saskatchewan to connect with the main line at or near Cold Lake.

Time for construction extended.

4. The Company may commence the construction of its railway and expend fifteen per cent on the amount of its capital stock thereon within two years after the passing of this Act, and may finish the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not finished and put in operation, within the said period respectively, the powers of construction granted to to the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

No. 140.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Southern Central Pacific Railway Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. MCCRANEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 141.] **BILL.** [1906.

An Act respecting the Quebec, Saguenay and Gulf of St. Lawrence Railway Company.

Preamble.

1903, c. 179.

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

Time for construction of railway extended.

1. The Quebec, Saguenay and Gulf of St. Lawrence Railway Company may commence the construction of its railway, and expend fifteen per cent on the amount of the capital stock thereon within two years after the passing of this Act, and may finish the railway and put it in operation within five years after the passing of this Act, otherwise the powers 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.

1903, c. 179, s. 21 repealed.

2. Section 21 of chapter 179 of the statutes of 1903 is repealed.

No. 141.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Quebec, Saguenay and Gulf of St. Lawrence Railway Company.

First reading, April 19, 1906.

(PRIVATE BILL.)

MR. GIRARD.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 142.] **BILL.** [1906.

An Act to repeal the Act respecting Annuities for certain Privy Councillors.

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

1. Chapter 30 of the statutes of 1905, intituled An Act respecting Annuities for certain Privy Councillors, is repealed. 1905, c. 30 repealed.

No. 142.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to repeal the Act respecting annuities for certain Privy Councillors.

First reading, April 19, 1906.

MR. WILSON,
(Lennox and Addington).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 143.] **BILL.** [1906.

An Act to amend the Act respecting the Senate and House of Commons.

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

R.S.C., c. 11, s. 25 amended. Member's indemnity.

1. Section 25 of chapter 11 of the Revised Statutes, intituled An Act respecting the Senate and House of Commons, (hereinafter called "the principal Act"), as that section is enacted by section 2 of chapter 43 of the statutes of 1905, is amended by striking out the words "two thousand five hundred" in the seventh and eighth lines thereof and substituting therefor the words "one thousand five hundred."

Section 26 amended. Deductions for non-attendance.

2. Section 26 of the principal Act, as enacted by section 3 of the said Act of 1905, is amended by striking out the word "fifteen" in the second line thereof and substituting therefor the word "eight."

Section 28 amended, How indemnity payable.

3. Section 28 of the principal Act, as enacted by section 5 of the said Act of 1905, is amended by striking out the word "ten" in the second line thereof and substituting therefor the word "seven."

Section 29 amended. Case of a member for part of a session.

4. Section 29 of the principal Act, as enacted by section 6 of the said Act of 1905, is amended by striking out the word "fifteen" in the seventh line thereof and substituting therefor the word "eight;" and by striking out the word "two" in the last line thereof and substituting therefor the word "one."

1899, c. 12, s. 1 amended. Days of absence.

5. Section 1 of chapter 12 of the statutes of 1899, as amended by section 9 of the said Act of 1905, is amended by striking out the word "fifteen" in the second line thereof and substituting therefor the word "eight."

No. 143.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the Senate and House of Commons.

First reading, April 19, 1906.

MR. WILSON,
(Lennox and Addington).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 144.] **BILL.** [1906.

An Act respecting Industrial and Co-operative Societies.

WHEREAS it is desirable to provide for the creation and organization of industrial and co-operative societies among the farming and labouring classes of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. This Act may be cited as the Industrial and Co-operative Societies Act. Short title.

2. In this Act the word "Minister" means the Minister of Labour for Canada, the word "Department" means the Department of Labour, and the word "society" means a society incorporated under this Act. Interpretation "Minister," "Department," "society."

3. A society which may be incorporated under this Act is a society for carrying on any industries, businesses or trades (except life or fire insurance) specified in or authorized by its rules, whether wholesale or retail, including dealings of any description with land: Provided that— What societies may be incorporated. Proviso.

(*a*) no member, other than a joint stock company, an agricultural association existing under the laws of Canada or some province thereof, or a municipal body, shall have or claim any interest in the shares of the society to an amount exceeding five hundred dollars, and

(*b*) in regard to the business of banking, the society shall be subject to the provisions hereinafter contained.

4. Any number of persons, not less than twelve, capable of contracting, may be incorporated as a society. Number of incorporators.

2. Such persons shall, with their provisional secretary, sign, in triplicate, a declaration in the form in schedule A to this Act, before two witnesses; one of such declarations, with a copy of the proposed rules or by-laws, shall be immediately deposited with the postmaster of the locality where the society has its head office; another declaration with a copy of the said rules or by-laws shall be forwarded by registered letter to the Minister, and the third declaration, with a copy of the said rules or by-laws, shall remain of record in the archives of the society. Declaration for incorporation.

3. The proposed corporate name of the society shall not be that of any other known society or company incorporated or unincorporated, or so nearly resembling such name as to be likely, in the opinion of the Department, to be confounded Corporate name.

therewith, or otherwise on public grounds objectionable, and no society shall change its name except as hereinafter provided.

"Lim ed." 4. The word "limited" shall be the last word in the name of every society.

Acknowledgement of organization and notice thereof. 5. The Minister, on being satisfied that the foregoing provisions of this Act have been complied with, shall issue to such society an acknowledgement of organization and give notice thereof in the *Canada Gazette*, and thereupon such society shall be a corporation under the name described in the acknowledgement and notice and shall vest in the society all property for the time being vested in any person in trust for the society; and the rules of the society, together with the provisons of this Act, shall constitute the charter of the society.

Incorporation. 6. The production of the *Canada Gazette* containing such notice shall be conclusive evidence that the society therein mentioned is duly incorporated.

Shares. **5.** The shares of the society shall be determined by its rules or by-laws, but no share shall be less than one dollar.

Increase of capital. **6.** The capital of the society may be increased by subscriptions for new shares or the admission of new members,and it may be diminished by withdrawals; provided that—

Decrease of capital. (*a*) the said capital shall be diminished below the amount established at the time of the society's organization, and

Reserve capital in case of banking. (*b*) no society which has a withdrawable share capital shall carry on the business of banking unless such society establishes and maintains a reserve amounting to per cent of its capital and no society carrying on the business of banking shall advance money by discount, loan or otherwise to, nor accept deposits from, any persons other than its own members.

Statement in schedule C. **7.** Every society which carries on the business of banking shall, on the last Monday in March and September in each year, make out and keep conspicuously hung up in its head office and every other office or place of business where the business of banking is carried on, a statement in the form in schedule C to this Act, or as near thereto as the circumstances admit.

Banking operations limited as to district. 2. A society carrying on the business of banking shall not operate outside of the electoral division where it has its head office.

Rules of society. **8.** The rules of every society shall contain provisions regarding the several matters contained in schedule B to this Act.

Amendments. 2. A l amendments to rules, in order to be valid, must be duly certified by the proper officer of the society and copies thereof shall be deposited with the postmaster of the locality where the society has its head office and also with the Minister.

Approval of Minister. 3. The Minister, on being satisfied that any amendment to rules is not contrary to the provisions of this Act, shall issue to the society an acknowledgement of the deposit of such amendment, and such acknowledgement shall be conclusive evidence that such amendment is in force.

Copies of rules. 4. A copy of the rules of the society containing all amendments at the date of delivery thereof shall be delivered by the society to every person on demand on payment of a sum not exceeding twenty cents.

Registered office.

9. Every society shall have a registered office, to which all communications and notices shall be addressed, and the society shall furnish the postmaster of the nearest post office thereto and also the Minister with written notice of the location of such office and of every change thereof.

Name of society to be kept conspicuous.

10. Every society shall paint or affix and keep affixed its name on the outside of every office or place in which the business of the society is carried on, in a conspicuous position and in letters easily legible, and shall also have its name written or printed in legible characters in all of its official notices and publications.

Audit.

11. Every society shall, once at least in every year, submit its accounts for audit to two or more persons appointed as provided by the rules of the society.

Powers and duties of auditors.

2. Such auditors shall have access to all books, deeds, documents and accounts of the society, and shall examine the balance sheets showing the receipts and expenditure, funds and effects of the society with the books, deeds, documents and vouchers relating thereto, and shall either sign the same as found by them to be correct, duly vouched and in accordance with law, or shall specially report to the society in what respects they find them incorrect, unvouched or contrary to law.

Annual return to Minister.

12. Every society shall, once in every year, not later than the thirty-first day of March, send to the Minister an annual return of the receipts and expenditure, funds and effects of the society as audited.

Term for annual accounts.

2. Such annual return shall be signed by the auditors and shall show separately the expenditure in respect of the several objects of the society, and shall be made out from the date of the society's incorporation or last annual return to that of its last published balance sheet; provided that such last named date is not more than one month before or after the thirty-first day of December then last or otherwise to the said day of December inclusive, and shall give the name, address and calling of the auditors and the authority under which they acted, and the report or reports of the said auditors during the period included in the return.

Proviso.

Balance sheet and auditor's report to be kept hung up.

13. Every society shall keep a copy of the last balance sheet for the time being, together with the auditor's report, hung up in a conspicuous place and accessible to the public at its head office.

Returns on special subjects.

14. The Minister may, whenever he sees fit, require the society to make a return upon any special subject connected with the affairs of the society, and the society shall make such return within the time mentioned in the notice requiring such return.

Inspection of books.

15. Except as provided by this Act, no member or person shall have any right to inspect the books of the society.

2. Any member or person having an interest in the funds of the society may inspect his own account and the books con-

taining the names of the members at all reasonable hours at the office of the society or at such other place as the said account and books are kept, subject to such regulations as to time and manner of such inspection as are made, from time to time, by the society in general meeting.

Authorization by society.

3. The society may, by its rules, authorize the inspection of any of its books therein mentioned, in addition to the said books containing the names of members, under such conditions as are thereby imposed, so that no person, unless he is an officer of the society or is specially authorized by a resolution thereof, shall have a right to inspect the loan or deposit account of any other member without his written consent.

Minister may order inspection of books.

16. The Minister may, if he thinks fit, on the application of ten members of a society, each of whom has been a member of the society for not less than twelve months immediately preceding the date of the application, appoint a person to inspect the books of the society and to report thereon; provided that—

(*a*) the applicants shall deposit with the Minister such sum as security for the costs of the proposed inspection as the Minister requires;

(*b*) all expenses of such inspection shall be defrayed by the applicants or out of the funds of the society, or by the members or officers, or former members or officers, of the society in such proportions as the Minister directs.

Powers of inspector.

2. A person appointed under this section shall have power to examine and make copies of all books of the society, and have free access to the said books at all reasonable hours.

Result of inspection.

3. The Minister shall communicate the result of such inspection to the applicants and to the society.

Cancellation of charter.

17. The Minister may, at any time, upon notice in writing cancel the charter of a society,—

(*a*) if it is shown that the members of the society are less than twelve in number, or that the creation of the society has been obtained by fraud, or that the society has ceased to carry on business;

(*b*) if he thinks fit, at the request of the society;

(*c*) on proof that the society exists for an illegal purpose, or has wilfully and after notice from the Minister violated any of the provisions of this Act.

Notice of intended cancellation.

2. Before such cancellation the Minister shall give the society a notice of not less than two months specifying briefly the ground of his proposed action (except in the case of a request by the society itself) and notice of such cancellation shall be published in the *Canada Gazette* and in a newspaper published in or near the place where such society last had its head office.

3. Such society shall from the date of publication in the *Canada Gazette* of the said notice of cancellation absolutely cease to enjoy the privileges of an incorporated society, but without prejudice to any liability incurred, which liability may be enforced as if such cancellation had not taken place.

Returns.

18. Returns and documents required under this Act shall be in the forms prescribed by the Minister from time to time.

Members to be bound by rules.

19. The rules of the society shall bind the society and all members thereof and all persons claiming through them respectively to the same extent as if each member had subscribed his name thereto.

Dues of members.

20. Moneys payable by a member to the society shall be a debt due from such member to the society and recoverable before any court of competent jurisdiction, and the society shall have a lien on the shares of any member for any debt due to it by him and may set off against the payment of such debt any sum due to the member on such shares or otherwise.

Minors may be members.

21. A person under the age of twenty-one, but above the age of may be a member of the society, unless provision to the contrary is made in the rules, and such person may, subject to the rules of the society, enjoy all the rights of a member, (except as herein provided,) and may sign all instruments required by the rules; but he shall not be a member of the committee, nor a trustee, director, manager or treasurer of the society.

Nomination by minor.

2. Such minor, being a member of the society, may, by a writing signed by him and delivered to the society during his lifetime, nominate any person other than an officer or servant of the society, (unless such officer or servant is the father, mother, brother or sister of the nominator,) to or among whom his property of whatever nature in the society or so much thereof as he specifies shall be transferred at his decease, provided the amount of such property does not exceed five hundred dollars.

Revocation of nomination.

3. Such nomination may be revoked or varied by the nominator from time to time.

Record book.

4. A book or record shall be kept of such nominations, and the property comprised in such nomination shall be transferable as directed, notwithstanding that the rules of the society declare the shares to be generally not transferable.

Transfer on death of nominator.

5. The society, on receiving satisfactory proof of the death of a nominator, shall either transfer the property as directed or pay to the person entitled thereunder the full value of the property indicated in the nomination: Provided that if the shares transferred as directed by the nominator would raise the share capital of any nominee to a sum exceeding five hundred dollars, then and in such case it shall pay him the value of such shares.

Investments.

22. The society may invest any part of its capital in or upon any security authorized by its rules.

When capital invested in other corporations.

2. A society which has invested any part of its capital in the shares or on the security of any other corporation may appoint as proxy any one of its members, though such member is not personally a shareholder of such other corporation.

Powers of proxy.

3. The proxy shall, during the continuance of such appointment, be considered, by virtue thereof, as holding the number of shares held by the society by whom he is appointed for all purposes except the transfer of such shares or the giving receipts for dividends.

Shares held by other corporations.

23. Any other corporation may, if its regulations permit, hold shares in the society.

Security bond for officers.

24. The society may, by its rules, require any of its officers having receipt or charge of money to furnish security or a bond for the due and faithful handing over by him to the society at the time fixed by the rules of all sums due by him to the society received in the performance of his duties.

Disputes between members.

25. The society may, by its rules, direct how any dispute between one of its members or any person aggrieved who has not for more than six months ceased to be a member of the society, or any person claiming through such member or party aggrieved, or claiming under the rules of the society and the society or one of its officers, shall be decided, and the decision so made shall be binding on all parties without appeal and shall not be removable into any court of law by injunction or otherwise; and application for the enforcement of such decision may be made before any court of competent jurisdiction, but where the rules contain no direction as to disputes or where no decision is made on a dispute within sixty days after application for a reference under its rules, then the party aggrieved may apply to a court of competent jurisdiction, which may hear and settle the matter in dispute.

Inspection of society's affairs.

26. Upon the application of one-tenth of the whole number of members of the society the Minister may—

(*a*) appoint an inspector or inspectors to examine into and report upon the affairs of such society; or

(*b*) call a special meeting of the society.

2. Such application shall be supported by such evidence as the Minister requires before taking action, and the Minister may require that such notice as he deems necessary be given to the society.

3. The Minister may require the applicants to furnish security for the costs of such inspection or meeting.

4. All expenses connected with such inspection or meeting shall be defrayed by the applicants or out of the funds of the society or by the members or officers or former members or officers of the society in such proportions as the Minister directs.

5. An inspector appointed under this section may require the production of the books, accounts, securities and documents of the society, and may examine on oath its officers, members, agents and servants in relation to its business, and may administer an oath accordingly.

6. The Minister may direct at what time and place a special meeting under this section is to be held and what matters are to be determined at the meeting, and the meeting shall have all the powers of a meeting called under the rules of the society, and shall in all cases have power to appoint its own chairman, any rule of the society to the contrary notwithstanding.

"Special resolution."

27. For the purposes of this Act, a special resolution shall mean a resolution passed by a majority of not less than three-fourths of such members of the society for the time being entitled under the rules to vote (as may have voted in person or by proxy, where the rules allow proxies), at any general meeting, and

notice of such meeting specifying the intention to propose the resolutions shall be given according to the rules of the society and not less than fourteen nor more than thirty days before the date for which such meeting is called.

2. At such meeting a declaration by the chairman that the resolution has been carried shall be deemed conclusive evidence of the fact.

28. A society may, by special resolution, and with the approval of the Minister, change its name, and from the date of a notice of such change, to be published by the Minister in the *Canada Gazette*, the society shall be known and legally designated under the new name, but such change of name shall not affect any right or obligation of the society, or of any member thereof, and any pending legal proceedings may be continued by or against the society notwithstanding its new name.

Amalgamation of several societies.

29. Any two or more societies incorporated under this Act may, by special resolution of each of the societies interested, become amalgamated as one society with or without any division of the funds of such societies, or any of them, and upon such conditions as are set forth in the said special resolutions, and the property of such societies shall become vested in the amalgamated society without the necessity of any form of conveyance other than that contained in the special resolution amalgamating the societies.

Transfer of contracts and liabilities.

2. Any society may, by special resolution, transfer its contracts and liabilities to any other society which undertakes to fulfil the contracts and liabilities of such society.

Creditors' rights saved.

30. Such amalgamation or transfer shall not prejudice the rights of any creditor of any society party thereto.

When amalgamation to take effect.

31. Such amalgamation or transfer shall only take effect from the date of the deposit with the Minister of a copy of the resolution relating thereto, certified by the chairman of the meeting at which the resolution was passed, and by the secretary of the society.

Dissolution of society.

32. A society organized under this Act may be dissolved—

(*a*) by a special resolution declaring such dissolution, and providing for the liquidation of the affairs of the society;

(*b*) when the society becomes insolvent and subject to the provisions of the Winding Up Act, chapter 129 of the Revised Statutes. R.S.C., c. 129.

Liability of members on winding up.

33. The following rules shall apply where a society is wound up as regards the liability of a past or present member of the society to contribute for payment of the debts and liabilities of the society, the expenses of winding up and the adjustment of the rights of contributories amongst themselves :—

(*a*) No person, society or company who or which has ceased to be a member for one year or upwards prior to the commencement of the windingup shall be liable to contribute;

(*b*) No person, society or company shall be liable to contribute in respect to a debt contracted after he or it ceased to be a member;

(*c*) No person, society or company, not a member, shall be liable to contribute unless it appears that the contributions of the existing members are insufficient to satisfy the just demands on the society;

(*d*) No contribution shall be required from any person, society or company exceeding the amount, if any, unpaid of the shares in respect of which he or it is liable as a past or present member;

(*e*) A person, society or company shall be considered to have ceased to be a member, with respect to any withdrawable share withdrawn, from the date of the notice or application for withdrawal: Provided, however, that if the society constitutes, by its rules, a reserve amounting to , then and in such case any member who has withdrawn from the society shall be free from every liability whatsoever from the moment of his withdrawal from the society as regards any debts of the society.

Offences.

34. It shall be an offence under this Act if a society—

(*a*) fails to give any notice, send any return or document, or does or allows to be done any act or thing which the society is, by this Act, required to give, send, do or allow to be done; or

(*b*) wilfully neglects or refuses to do any act or furnish any information required for the purposes of this Act by the Minister or any other person authorized under this Act, or does any act or thing forbidden by this Act; or

(*c*) makes a return or wilfully furnishes information in any respect false or insufficient; or

(*d*) carries on the business of banking when it has any withdrawable share capital, or has not the reserve provided in lieu thereof, or fails to make out and keep continuously hung up the statement required by this Act, or makes any payment of withdrawable capital contrary to this Act.

Penalty for obtaining property by fraud.

35. If any person obtains possession by false representation or imposition of any property of a society, or having the same in his possession, withholds or misapplies it, or wilfully applies any part thereof to purposes other than those defined by the rules of the society, or authorized by the law, he shall, on the complaint of the society, or of any member authorized by the society, or by the committee or directorate thereof, or by the Minister, be liable, on summary conviction, to a fine not exceeding fifty dollars and costs, and to be ordered to deliver up all such property, and shall repay all moneys applied improperly, and in default of such delivery or repayment or of the payment of such fine, may be imprisoned with or without hard labour, for a term not exceeding three months; but nothing herein shall prevent any such person from being proceeded against by way of indictment if not previously convicted of the same offence under this Act.

Penalty for making false entries.

36. If any person wilfully makes, orders or allows to be made any entry or erasure in or omission from any balance sheet of a society, or any contribution or collecting book or any return or document required to be sent, produced or delivered under this Act, with intent to falsify the same, or to evade any of the provisions of this Act, he shall be liable to a fine not exceeding one hundred dollars.

37. It shall be an offence under this Act if any person, with intent to mislead, gives to any other person a copy of the rules other than the then existing rules of a society, or gives to any person any rules as being the rules of an existing society when such society is not really a society incorporated under this Act. Penalty respecting copies of society's rules.

38. Every society, officer or member of a society or other person guilty of an offence under this Act for which no penalty is otherwise expressly provided, shall be liable to a fine not exceeding twenty-five dollars. Penalty for offences generally.

39. Every fine imposed by this Act or by any regulations under this Act or by the rules of a society incorporated under this Act, shall be recoverable in a summary manner. Recovery of fines.

2. Any such fine, if imposed by this Act or by any regulations thereunder, shall be recoverable at the suit of the Minister or of any person aggrieved, and if imposed by the rules shall be recoverable at the suit of the society. At suit of Minister or others.

40. The Governor in Council may make regulations respecting the procedure and forms to be adopted in carrying out the provisions of this Act and generally for carrying this Act into effect; and such regulations shall apply as soon as they have been published in the *Canada Gazette*. Regulations by Governor in Council.

41. Such regulations shall be laid before Parliament within ten days after the making thereof, if Parliament is then sitting, or, if not then sitting, then during the first ten days of the then next session thereof. Regulations to be laid before Parliament.

SCHEDULE A.

INDUSTRIAL AND CO-OPERATIVE SOCIETIES ACT.

The [*Name of Society.*] Limited.

To all whom these presents may concern:—

Application to organize a society under the above mentioned Act, under the name of The , Limited, is made by the twelve persons whose names are subscribed hereto.

1. The object, name and declared office of the society are provided for in rule no. [*state number*].

2. The forms of admission of members, including any society or company investing funds in the society, under the provisions of the Act, are provided for in rule no. .

3. The mode of holding meetings and right of voting and the manner of making, altering or rescinding rules, are provided for in rule no. .

4. The appointment and removal of the committee of management (by the name of), of managers or other officers, and their respective powers and remunerations, are provided for in rule no.

5. The determination of the amount of interest, not exceeding , in the shares of the society which any

member, other than an incorporated company, may hold is provided for in rule no. .

6. The determination whether the society may contract loans or receive money on deposit, subject to the provisions of the Act, from members or others, and if so, under what conditions as to security, limits of amount and terms, is provided for in rule no. .

7. The determination whether the shares or any of them shall be transferable and the form of transfer and registration of the shares and the consent of the committee thereto, and the determination whether the shares or any of them shall be withdrawable and the mode of withdrawal and the payment of the balance due thereon on withdrawing from the society, are provided for in rule no. .

8. The audit of accounts and appointment of auditors are provided for in rule no. .

9. The determination whether and how members may withdraw from the society, and the claims of the representatives of deceased members or the trustees of the property of bankrupt members and the payment of nominees, are provided for in rule no. .

10. The mode of application of profits is provided for in rule no. .

11. The determination whether and by what authority and in what manner any part of the capital may be invested is provided for in rule no. .

12. Provision as to the seal of the society and the certifying of documents is made in rule no. .

13. The statutory duties of the society are set forth in rule no. .

Dated at this day of 190 .

[*Signature of member.*]

[*Residence.*]

SCHEDULE B.

Matters to be provided for by the rules of societies incorporated under the Industrial and Co-operative Societies Act:—

1. Object, name and head office or chief place of business of the society.

2. Terms of admission of the members, including societies or companies taking shares in the society under the provisions of this Act.

3. Mode of holding meetings, right of voting and of making, altering and rescinding rules.

4. Appointment and removal of the committee of management, by whatever name, of managers or other officers, and their respective powers and remuneration.

5. Determination of the amount of interest (not exceeding five hundred dollars) in the shares of the society which any member other than an incorporated company may hold.

6. Determination whether the society may contract loans or receive deposits, subject to the Act, from members or others, and if so, under what conditions, on what security, and what limits of amount.

7. Determination whether the shares or any of them shall be transferable, and regulations of the form of transfer and registration of the shares and the consent of the committee thereto; determination whether the shares or any of them shall be withdrawable and payment of the balance due thereon on withdrawing from the society.

8. Provisions for audit of accounts and appointment of auditors.

9. Determination whether or how members may withdraw from the society; provisions for the claims of representatives of deceased members or the disposal of property of bankrupt members for the payment of nominees.

10. Mode of application of profits.

11. Provision for custody of seal and certifying of documents issued by society.

12. Determination whether and by what authority and in what manner any part of the capital may be invested.

SCHEDULE C.

Form of statement to be made out by a society carrying on the business of banking:—

1. Capital of the society:
   (*a*) nominal amount of each share;
   (*b*) number of shares issued;
   (*c*) amount paid up on shares.
2. Liabilities of the society:
   (*a*) on judgments;
   (*b*) on contracts;
   (*c*) on notes and bills;
   (*d*) on estimated liabilities.
3. Assets of the society:
   (*a*) government or other securities;
   (*b*) bills of exchange and promissory notes;
   (*c*) cash in bank;
   (*d*) other securities.

No. 144.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Industrial and Co-operative Societies.

First reading, April 23, 1906.

MR. MONK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 145.] **BILL.** [1906.

An Act to regulate the exportation of electric power and certain liquids and gases.

1. This Act may be cited as the Electricity and Fluid Exportation Act. Short title.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) The expression "Minister" means the Minister of Customs; "Minister."

(*b*) The expressions "export" and "exportation," when used with reference to electrical power or energy, mean respectively export and exportation from Canada by means of lines of wire or other conductor, and, when used with reference to petroleum, natural gas, water or other fluid, whether liquid or gaseous, capable of being exported, mean respectively export and exportation from Canada by means of pipe-lines or other like contrivances; "Export." "Exportation."

(*c*) The expression "power" means electrical power or energy produced in Canada; "Power."

(*d*) The expression "fluid" means petroleum, natural gas, water or other fluid, whether liquid or gaseous, capable of being exported by means of pipe lines or other like contrivances, and being the product of Canada. "Fluid."

3. No person shall export any power or fluid without a license, or any power or fluid in excess of the quantity permitted by his license, or otherwise than as permitted by such license: Provided that any person who, immediately prior to the passing of this Act, is lawfully engaged in the exportation of power or fluid, shall not with respect to such exportation be subject to the provisions of this Act until months thereafter, or until he has sooner obtained a license under this Act; and provided that his exportation does not at any time during the interval rateably exceed in quantity of power or light the amount which he was exporting prior to the passing of this Act. Export of power and fluid prohibited without a license. Proviso.

2. No person shall, without a license, construct or place any line of wire or other conductor for the exportation of power, or any pipe-line or other like contrivance for the exportation of fluid. Wires, pipes, etc.

4. Subject to any regulations of the Governor in Council in that behalf, the Minister may grant licenses, limited as to quantity and subject to such conditions as he thinks proper, for the exportation of power or fluid, and such licenses shall be revocable upon such notice to the licensee as the Minister deems reasonable in each case. License to export.

License to place wires, lay pipes, etc.

5. Subject to any regulations of the Governor in Council in in that behalf, the Minister may grant licenses for the construction, placing or laying of any line of wire or other conductor for the exportation of power, or of any pipe-line or other like contrivance for the exportation of fluid.

Penalties for exportation.

6. Every person who exports any such power or fluid contrary to the provisions of this Act shall for each such offence be liable, upon summary conviction before two justices of the peace, to a penalty not exceeding and not less than dollars.

Penalties for placing wires, laying pipes, etc.

7. Every person who, contrary to the provisions of this Act, constructs, places or lays any line of wire or other conductor for the exportation of power, or any pipe-line or other like contrivance for the exportation of fluid, shall for each such offence be liable, upon summary conviction before two justices of the peace, to a penalty not exceeding and not less than , and to forfeiture and confiscation of such line of wire or other conductor, pipe-line or other contrivance, which may forthwith, upon such conviction, be destroyed or removed by and under the direction of the Minister.

Regulations by Governor in Council.

8. The Governor in Council may make regulations not inconsistent with this Act for giving effect to the objects and intention thereof, and by such regulations may impose fees to be paid by applicants for licenses, or others, thereunder.

No. 145.

2nd Session, 10th Parliament, 6 Edward V

BILL.

An Act to regulate the exporta electric power and certain liqu gases.

First reading, April 27, 1906

MR. FITZPATI

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Maje
1906

No. 146.] **BILL.** [1906.

An Act to incorporate the Windsor, Chatham and London Railway Company.

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

1. John Piggott, William E. McKeough and Walter T. Piggott, of the city of Chatham, in the county of Kent; James Brien, of the town of Essex, in the county of Essex; W. C. Crawford and W. J. Moffatt, of the village of Tilbury, in the county of Essex, all in the province of Ontario; Thomas E. Robinson, of the city of Detroit, in the state of Michigan, one of the United States, and E. A. Tennis, of the city of Philadelphia, in the state of Pennsylvania, one of the United States, together with such persons as become shareholders in the company, are incorporated under the name of "The Windsor, Chatham and London 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 two million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

5. The head office of the Company shall be in the city of Windsor, in the county of Essex, in the province of Ontario. Head office.

6. The annual meeting of the shareholders shall be held on the third Wednesday in January. Annual meeting.

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

8. The Company may lay out, construct and operate a railway from some point in or near the city of Windsor, in the county of Essex, to some point in or near the city of Chatham, in the county of Kent, passing through the townships of Sand- Line of railway described.

wich East, Maidstone, Rochester and Tilbury North, all in the said county of Esesex, and the townships of Tilbury East and Raleigh, in the said county of Kent;, thence easterly to a point in or near the city of London, in the county of Middlesex, passing through the townships of Chatham, Camden, Zone, Harwich and Howard, in the said county of Kent, the township of Euphemia, in the county of Lambton, and either or all of the townships of Mosa, Ekfrid, Metcalf, Caradoc, Lobo and Delaware, in the said county of Middlesex

Telegraphs and telephones.

9. The Company may construct and operate telegraph and telephone lines upon its railway, and for the purpose of operating such lines, or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved of by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C., c. 132.

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

Issue of securities.

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

Agreements with other companies.

11. Subject to the provisions of sections 281, 282 and 283, of the Railway Act, 1903, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Lake Erie and Detroit River Railway Company, the Canada Southern Railway Company and the Windsor, Essex and Lake Shore Rapid Railway Company.

Agreement as to tunnel.

12. The Company may enter into an agreement with the company or companies now constructing the tunnel under the Detroit River between the city of Windsor and the city of Detroit, in the state of Michigan, for the use of the tunnel, when constructed, by the cars of the Company.

No. 146.

2nd Session, 10th Parliament, 6 Edward VII, 1906

BILL.

An Act to incorporate the Windsor, Chatham and London Railway Company.

First reading, May 1, 1906.

(PRIVATE BILL.)

Mr. Clarke

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 147.] **BILL.** [1906.

An Act respecting the Standard Trusts Company.

Preamble.

WHEREAS the Standard Trusts Company has by its petition represented that it is incorporated by chapter 70 of the statutes of 1902 of Manitoba, for the purposes and with the powers in the said Act mentioned, and that on the seventh day of August, one thousand nine hundred and three, it obtained a license to carry on its business in the North-West Territories as a foreign corporation to the extent mentioned in the said Act; and whereas the said company has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Man., 1902, c. 70.

Declared to be within legislative authority of Parliament.

1. The Standard Trusts Company is hereby declared to be a corporation within the legislative authority of the Parliament of Canada, and may carry on its business throughout Canada and elsewhere, and as trustee or otherwise may receive, hold and convey any real property which may become vested in it in the due carrying on of its said business: Provided that the powers hereby granted shall be exercised in the several provinces of Canada subject to all general laws of the said provinces respectively applicable to the said company.

Proviso as to provincial legislation.

No. 147.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Standard Trusts Company.

First reading, May 1, 1906.

(PRIVATE BILL.)

MR. BOLE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 148.] **BILL.** [1906.

An Act respecting the Dominion Fire Insurance Company.

Preamble.

WHEREAS the Dominion Fire Insurance 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: 1904, c. 73. Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Head office changed.

1. Section 4 of chapter 73 of the statutes of 1904 is amended by striking out therefrom the words "city of Vancouver, in the province of British Columbia," and substituting therefor the words "city of Toronto, in the province of Ontario."

No. 148.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Dominion Fire Insurance Company.

First reading, May 1, 1906.

(PRIVATE BILL.)

MR. MACPHERSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 149.] **BILL.** [1906.

An Act respecting the Central Railway Company of Canada.

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

1. The deed of transfer dated the seventeenth day of March, one thousand nine hundred and six, between the Ottawa River Railway Company and the Central Railway Company of Canada, hereinafter called "the Company," and set out in schedule A to this Act, and the deed of transfer dated the twenty-first day of April, one thousand nine hundred and six, between the Honourable William Owens and the Company and set out in schedule B to this Act, are hereby respectively ratified and confirmed and declared to be and to have been legal, valid and binding upon the parties thereto respectively on or since the respective dates thereof; and from and after the passing of this Act the franchises of the Ottawa River Railway Company and the Carillon and Grenville Railway Company and their powers, authorities, rights, privileges, obligations, liabilities and property, real and personal, shall be exercised by and vested in the Company. Deeds of transfer in schedules confirmed.

2. Section 3 of chapter 172 of the statutes of 1903 is repealed and the following is substituted therefor:— 1903, c. 172, new section 3.

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

3. The Company may issue bonds upon its terminal and other properties in or near the cities of Ottawa, Midland, Stratford, London, St. Thomas and Toronto, and the said bonds shall be a first charge on the property specified therein: Provided that in no case shall the amount of bonds so issued exceed the value of the properties so charged. Bond issue. Proviso.

4. The Company may purchase shares, bonds or other securities of and claims of all kinds against any company whose property it is authorized to acquire or lease, and may pay therefor partly or wholly in bonds or fully paid shares of the Company, or partly in one and partly in the other. Purchase of securities, etc., of other companies.

Time for construction limited.

5. The construction of the railway which the Company is authorized to construct, and the lines acquired by the Company, may be completed and the railway put in operation within five years after the passing of this Act, and if the railway is not finished and put in operation within the said period, the powers granted to the Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

1905, c. 79, s. 8 repealed.

6. Section 8 of chapter 79 of the statutes of 1905 is repealed.

Declaratory.

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

SCHEDULE A.

This indenture made the seventeenth day of March, one thousand nine hundred and six, between the Ottawa River Railway Company, incorporated by an Act of the Legislature of Ontario, hereinafter called "the Ottawa Company," of the first part; and the Central Railway Company of Canada, incorporated by an Act of the Parliament of Canada, hereinafter called "the Central Company," of the second part

Whereas the Ottawa Company, under its incorporating Act 4 Edward VII, chapter 85 as amended by 5 Edward VII, chapter 103, has power to enter into an agreement with the Central Company for the sale of the whole or any portion of the railway therein authorized, and the rights, powers, privileges and franchises thereof.

And whereas the Central Company by its incorporating Act 3 Edward VII, chapter 172, as amended by 4 Edward VII, chapter 112 and 5 Edward VII, chapter 79, is empowered to acquire from the Ottawa Company the railway and undertaking of the said Company in whole or in part and the rights, powers, privileges and franchises thereof.

And whereas by agreement made and entered into on the ninth day of January, one thousand nine hundred and six, which agreement was authorized by resolutions duly passed by each of the said Companies at meetings of shareholders duly called and held on the fourth day of September, one thousand nine hundred and five, and the ninth day of January, one thousand nine hundred and six, respectively, it was agreed that the Ottawa Company should sell and the Central Company should buy all the railway and undertaking of the Ottawa Company and the rights, powers, privileges and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of the Ottawa Company for the consideration hereinafter mentioned.

Now this indenture witnesseth that in pursuance of the premises and for the purpose of effectuating the agreement above recited and in consideration of two thousand fully paid up shares in the capital stock of the Central Railway Company of Canada, which shares have been allotted and delivered to a trustee duly appointed by the Ottawa Company (the receipt of which two thousand shares the Ottawa Company hereby ac-

knowledges), and in further consideration of the covenant by the Central Company hereinafter contained, the Ottawa Company hereby sells, grants, assigns, transfers and sets over unto the Central Company, its successors and assigns for ever, all the railway and undertaking of the Ottawa Company and the rights, powers, privileges, property and franchises thereof, together with all other assets, rights, credits, effects and property, real, personal and mixed of whatever kind and wheresoever situated, belonging to the Ottawa Company or to which it is now or may hereafter become entitled.

To have and to hold unto the Central Company of Canada its successors and assigns to and for their sole and only use for ever.

And the Ottawa Company covenants with the Central Company to execute and deliver, at the expense of the Central Company, all such further and other separate and formal assurances, assignments, transfers and conveyances for registration purposes or otherwise as may be required to vest in the Central Company their successors and assigns the full, legal, equitable and beneficial title and interest to and in the said railway and undertaking of the Ottawa Company, and the rights, powers, privileges and franchises thereof together with all other assets, rights, credits, effects and property and each and every part thereof.

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

Witness the corporate seals of the respective Companies attested by their proper officers respectively in that behalf the day and year first above written.

W. Owens,
President.

[Corporate seal of the Ottawa River Railway Company.]

J. A. C. Kirk,
Secretary.

James Domville,
President.

[Corporate seal of the Central Railway Company of Canada.]

J. D. Wells,
Secty.

SCHEDULE B.

Before John Alexander Cameron, the undersigned notary public for the province of Quebec, residing and practising at the city of Montreal; appeared the Honourable William Owens, of the city of Montreal, Senator, hereinafter called "the vendor," of the first part.

And the Central Railway Company of Canada, hereinafter called "the Company," a body corporate, having its principal place of business at the city of Montreal, herein acting and represented by the Honourable James Domville, of Rothesay,

in the province of New Brunswick, Senator, the president, and James D. Wells, of Montreal, the secretary of the said Company, and hereunto duly authorized by a resolution of the shareholders of the Company passed at their meeting held on the sixth day of April instant (1906) whereof a certified copy is hereunto annexed, of the second part.

Which said parties declared unto said notary as follows:—

Whereas the Company under its incorporating Act 3 Edward VII., chapter 172, as amended by 4 Edward VII., chapter 112, and 5 Edward VII., chapter 79, is empowered to acquire from the Carillon and Grenville Railway Company the railway and undertaking of the said Company in whole or in part, and the rights, powers, privileges property and franchises thereof.

And whereas the vendor, under authority from the Company, has purchased the Carillon and Grenville Railway for and on behalf of the Company, and the rights, powers, privileges, property and franchises of the said Carillon and Grenville Railway Company, and the said purchase by the vendor has been ratified and confirmed by the shareholders of the Company.

And whereas the vendor is now desirous of transferring to the Company, all the right, title, and interest acquired by him in the said railway and undertaking and the rights, powers privileges, property and franchises of the said Carillon and Grenville Railway Company, and vesting the same and the title thereof in the Company.

Now this indenture witnesseth, that in pursuance of the premises and in consideration of the sum of one dollar of lawful money of Canada and of other good and valuable considerations, the receipt whereof is hereby acknowledged, and in further consideration of the covenant by the said Central Railway Company of Canada hereinafter contained, the vendor herby sells, grants, assigns, transfers and sets over unto the said Central Railway Company of Canada, its successors and assigns to the extent and for such estate or interest as the vendor has acquired in the same, all the railway and undertaking of the Carillon and Grenville Railway Company, and the rights, powers, privileges, property and franchises thereof, together with all other assets, rights, credits, effects, and property, real, personal and mixed, of whatever kind and wheresoever situated, belonging to the said Carillon and Grenville Railway Company, or to which it is now or may hereafter become entitled.

To have and to hold unto the Central Railway Company of Canada, its successors and assigns, to and for their sole and only use for ever.

And the vendor covenants with the Company to execute and deliver, and to procure to be executed and delivered, at the expense of the Company, all such further and other separate and formal assurances, assignments, transfers, and conveyances, for registration purposes or otherwise, as may be required to vest in the Company, its successors and assigns, the full, legal, equitable, and beneficial title and interest to and in the said Carillon and Grenville Railway, and the rights, powers, privileges, property and franchises thereof, together with all

other assets, rights, credits, effects and property, and each and every part thereof.

And the Company in further consideration of the foregoing covenants with the vendor, his executors, administrators and assigns, that it will from and after the date hereof, provide and maintain a train service between Carillon and Grenville, for the carriage of both passengers and freight, from the boats of the Ottawa River Navigation Company, which train service shall be equal at least in every respect to that heretofore furnished for the said purposes, by the Carillon and Grenville Railway Company.

Whereof acte, Done and passed at the city of Montreal on this twenty-first day of April, one thousand nine hundred and six, and of record in the office of the undersigned notary under number five thousand five hundred and seventy-five.

And after due reading hereof the parties signed in the presence of said notary, in whose presence also the seal of said Company has been affixed by the said president thereof.

[Corporate seal of the Central Railway Company of Canada.]

JAMES DOMVILLE,
President.
J. D. WELLS,
Secretary.
W. OWENS.
J. A. CAMERON,
N.P.

No. 149.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Central Railway Company of Canada.

First reading, May 1, 1906.

(PRIVATE BILL.)

MR. GERMAN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 150.] **BILL.** [1906.

An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.

Preamble.

WHEREAS the Windsor, Essex and Lake Shore Rapid Railway Company has by its petition represented that it is incorporated by chapter 92 of the statutes of 1901 of Ontario, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Ont., 1901, c. 92.

Declaratory.

1. In this Act the expression "the Company" means the body politic and corporate created by chapter 92 of the statutes of Ontario of 1901, and the railway works which the Company has been empowered to undertake by virtue of the Acts of the legislature of Ontario relating to it are declared to be for the general advantage of Canada.

1903, c. 58.

2. The Railway Act, 1903, shall hereafter apply to the said works to the exclusion of the Electric Railway Act of Ontario or any provision of the said Act of incorporation or amending Act inconsistent therewith, but nothing herein shall affect any action heretofore taken pursuant to powers in such Acts contained.

Confirmation of acts done under Ontario statutes.

3. All acts lawfully done and all contracts, agreements and instruments in writing heretofore lawfully made, entered into or executed by or on behalf of the Company, or in relation thereto, with respect to the undertaking of the Company, under the authority of any Act of the legislature of Ontario, are confirmed and declared to be valid and binding on the Company and upon all other parties thereto.

Steamers and car ferries.

Transportation.

Wharfs, elevators and warehouses.

4. The Company may, for the purposes of its business and in connection with its railway, construct, purchase or otherwise acquire, charter, obtain control, navigate and keep in repair steamers or car ferries to ply between some point in or near the towns of Leamington or Kingsville, in the province of Ontario, to some point on the south shore of Lake Erie, in the United States, and carry and convey cars, freight and passengers, and carry on a general transportation service in connection with the said railway, and may sell and dispose of such vessels; and for the purposes aforesaid may construct, purchase, lease, or otherwise acquire and hold wharfs, slips, docks, elevators and warehouses.

Agreement as to tunnel.

5. The Company may enter into an agreement with the Canada and Michigan Bridge and Tunnel Company or any other company now constructing the tunnel under the Detroit river between the city of Windsor, in the province of Ontario, and the city of Detroit, in the state of Michigan, for the use of the tunnel, when completed, by the cars of the Company.

No. 150.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Windsor, Essex and Lake Shore Rapid Railway Company.

First reading, May 1, 1906.

(PRIVATE BILL.)

Mr. CLARKE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 151.] **BILL.** [1906.

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

WHEREAS the Ottawa, Brockville and St. Lawrence Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1900, c. 71; 1902, c. 88; 1904, c. 109.

1. Section 2 of chapter 109 of the statutes of 1904 is repealed. 1904, c. 109, s. 2 repealed.

2. The construction of the railway of the Ottawa, Brockville and St. Lawrence Railway Company may be commenced, and fifteen per cent of the capital stock expended thereon, within two years after the seventh day of July, one thousand nine hundred and six, and the railway may be finished and put in operation within five years after the seventh day of July, one thousand nine hundred and six; and if the railway is not commenced and such expenditure is not made, or if the railway is not finished and put in operation, within the said respective periods, the powers conferred on the said company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted. Time for construction extended.

No. 151.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

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

First reading, May 2, 1906.

(PRIVATE BILL.)

MR. DERBYSHIRE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 152.] **BILL.** [1906.

An Act to amend the Railway Act, 1903.

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

1. Subsection 3 of section 199 of the Railway Act, 1903, is repealed and the following is substituted therefor:— 1903, c. 58, s. 199 amended.

"3. Wherever the railway passes through lands within any town or village, or within any surveyed township or union of townships settled or partly settled, the company shall erect and maintain such fences, gates and cattle-guards. If in consequence of the absence or insufficiency of such fences, gates or cattle-guards any animal is killed or injured by any railway company, the company shall be liable for all loss and damage sustained by the owner thereof." If lands are settled. Liability of company.

No. 152.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Railway Act, 1903.

First reading, May 2, 1906.

MR. CONMEE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 153.] **BILL.** [1906.

An Act respecting Placer Mining in the Yukon Territory.

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

I.—SHORT TITLE.

1. This Act may be cited as the Yukon Placer Mining Act. Short title.

II.—INTERPRETATION.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) The expression "claim" and "placer claim" mean the personal right of property or interest in any placer mine; and the term "mining property" or "mining claim" includes every placer claim, ditch or water right used for placer mining purposes, and all other things belonging thereto or used in the working thereof; "Claim" and "placer claim." "Mining property." "Mining claim."

(*b*) The expression "creek" means and includes all natural water courses, whether usually containing water or not; "Creek."

(*c*) The expression "ditch" includes a flume, pipe, race or other artificial means for conducting water by its own weight, to be used for mining purposes; "Ditch."

(*d*) The expressions "Gold Commissioner," "Mining Recorder" and "Mining Inspector" mean respectively the official appointed by the Government of Canada to perform the duties assigned to him by this Act; "Gold Commissioner," "Mining Recorder," "Mining Inspector."

(*e*) The expression "legal post" means a stake standing not less than four feet above the ground and flatted on two sides for at least one foot from the top. Both sides so flatted shall measure at least four inches across the face. It also means any stump or tree cut off and flatted or faced to the above height and size; "Legal post."

(*f*) The expressions "mine" and "placer mine" are synonymous terms and mean any natural stratum or bed of earth, gravel or cement mined for gold or other precious minerals or stones; "Mine" and "placer mine."

(*g*) The expression "to mine" includes every mode and method of working whatsoever whereby earth, soil or gravel may be removed, washed, shifted or refined or otherwise dealt with, for the purpose of obtaining gold, but in this Act does not include working of rock *in situ* bearing gold, silver, copper or any ore or metallic substance. "To mine."

III.—RIGHT TO ACQUIRE MINES.

Lands which may be prospected and mined.

Restrictions.

3. Any person over, but not under, eighteen years of age may enter, locate, prospect and mine for gold and other minerals upon any lands in the Yukon Territory, whether vested in the Crown or otherwise, except land within the boundaries of a city, town or village as defined by any ordinance of the Yukon Council, or land which is occupied by a building, or which falls within the curtilage of a dwelling house, or land lawfully occupied for placer mining purposes, or lands which are Indian reservations.

Security for damages to be given before entry on lands.

Disputed compensation determined by court.

4. Previous to any entry, locating, prospecting or mining upon lands lawfully occupied, the person seeking to enter, locate, prospect or mine shall give adequate security, to the satisfaction of the Mining Recorder, for any loss or damage which may be caused by such entry, locating, prospecting or mining, and after such entry, locating, prospecting or mining, such person shall make full compensation to the occupant or owner of such lands for any loss or damage which may be caused by reason of such entry, locating, prospecting or mining; such compensation, in case of dispute, to be determined by a court having jurisdiction in mining disputes.

Owner of mine to have first rights to surface.

5. The surface rights to any placer mine shall not be granted to any person other than the owner of the placer mine until the said owner is given an opportunity to acquire the said rights by notice in writing from the Crown Timber and Land Agent, served personally on the said owner or his agent.

IV.—NATURE AND SIZE OF CLAIMS.

Nature and size of claims.

Measurements.

6. A placer claim on a creek shall not exceed five hundred feet in length, measured along the base line of the creek, established or to be established by a Government survey. The rear boundaries of the claim shall be parallel to the base line, and shall be defined by measuring one thousand feet on each side of such base line. In the event of the base line not being established, the claim may be staked along the general direction of the valley of the creek, but it will be necessary to conform to the boundaries which the base line, when established, shall define.

Claims elsewhere than on a creek.

7. Placer claims situate elsewhere than on a creek shall not exceed five hundred feet in length by one thousand feet.

Claims fronting on a creek, how to be staked.

8. A placer claim fronting on a creek, shall be staked as nearly as possible parallel to the general direction of the valley of the said creek, and shall conform to the boundaries which the base line, when established, shall define.

Claims to be measured horizontally.

9. Claims shall be measured horizontally irrespective of inequalities on the surface of the ground.

Establishment of lines by official survey.

10. The official survey which establishes the said base line shall, at the same time, establish the side lines of the claims

located on the creek, and the said base line and side lines so established shall be a final determination of the location of said base line and side lines.

Form of claims.

11. Every placer claim shall be as nearly as possible rectangular in form, and marked by two legal posts firmly fixed in the ground on the base line at each end of the claim. The line between the two posts shall be well cut out so that one post may, if the nature of the surface will permit, be seen from the other. The flatted side of each post shall face the claim, and on each post shall be written on the side facing the claim, a legible notice stating the name or number of the claim, or both, if possible, its length in feet, the date when staked, and the full Christian and surname of the locator. The posts shall also be numbered 1 and 2 respectively. It shall not be lawful to move post No. 1, but No. 2 may be moved by a Dominion Land Surveyor, if the distance between the posts exceeds the length prescribed by this Act, but not otherwise: Provided that failure on the part of the locator of a claim to comply with any of the foregoing provisions shall not be deemed to invalidate such location, if upon the facts, it appears to the satisfaction of the Mining Recorder that there has been on the part of the locator a *bona fide* attempt to comply with the provisions of this Act, and that the non-observance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity.

Marking by legal posts.

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Size of claims to which first locators are entitled.

12. Any person or party of persons locating the first claim on any creek, hill, bench, bar or plain, or locating a claim on any hill, bench, bar or plain upon which there is no recorded claim, shall be entitled to a claim or claims respectively of the following size, namely:—

To one locator, one claim, fifteen hundred feet in length;

To a party of two locators, two claims, each of one thousand feet in length;

To each additional member of a party beyond two in number, a claim of the ordinary size only.

Enlargement of boundaries of claims granted prior to this Act.

13. The boundaries of any claim for which a grant has been issued prior to the passing of this Act may, by order of the Gold Commissioner, upon application being made by the owner thereof, be enlarged to the size of a claim allowed by this Act, provided that such enlargement will not interfere with any mining claim or property owned by any other person.

V.—LOCATING AND RECORDING.

Forms of grants and renewals.

14. The forms of application for a grant and renewal of a grant for placer mine, and the grant thereof, shall be those contained respectively in schedules A, B and C hereto.

Time allowed for filing applications.

15. An application for a claim shall be filed with the Mining Recorder in whose district it is situated within ten days after the location thereof, if it is located within ten miles of the Mining

Recorder's office. One extra day shall be allowed for every additional ten miles or fraction thereof.

No grant for part of claim already recorded.

16. No grant shall be issued by a Mining Recorder for a part of a claim which is already recorded.

Location on Sunday.

17. A claim located on Sunday or any public holiday shall not for that reason be invalid.

When claims one hundred miles from Recorder's office.

Emergency Recorder.

18. In the event of the claim being more than one hundred miles from a Recorder's office, and situated where other claims are being located, the locators, not less than five in number, are authorized to meet and appoint one of their number an "Emergency Recorder," who shall act in that capacity until a Mining Recorder is appointed.

Duties of "Emergency Recorder."

Recording of such claims.

19. The Emergency Recorder shall, at the earliest possible date after his appointment, notify the nearest Mining Recorder thereof, and upon the arrival of the Mining Recorder, he shall deliver to him his records and the fees received for recording the claims. The Mining Recorder shall then issue to each person whose name appears in the records, a grant for his claim, provided an application has been made by him in accordance with the form in schedule A hereto. The grant shall date from the time the Emergency Recorder recorded the application.

Permits to *bona fide* prospectors.

20. Any person, upon satisfying a Mining Recorder that he is about to undertake a *bona fide* prospecting trip, may receive written permission from the Mining Recorder, allowing him to record a claim within his mining district at any time within a period not exceeding six months from the date of his staking the said claim.

Applications for claims not staked in person.

21. No application shall be received for a claim which has not been staked by the applicant in person in the manner specified in this Act: Provided, however, that if any person satisfies the Mining Recorder that he is about to undertake a *bona fide* prospecting trip, and files with a Mining Recorder a power of attorney, from any number of persons, not exceeding two, authorizing him to stake claims for them in consideration of their having enabled him to undertake the trip, he may stake one claim in the name of each such person.

Abandonment and surrender of claim.

22. A person holding a grant of a claim may, at any time, abandon the claim, by giving notice in writing of his intention to do so to the Mining Recorder and surrendering to the Mining Recorder his grant of the claim, and thereafter he shall not personally or through any other person re-locate the said claim.

Only one claim allowed each person in same locality.

23. No person shall receive a grant of more than one mining claim on each separate creek, hill, bench, bar or plain, except by purchase, unless he has abandoned the claim for which he has received a grant, and such abandonment has been duly recorded. If the owner of a claim, having acquired it by location, sells it, he shall not be permitted to locate again on the same creek, hill,

bench, bar or plain until the lapse of one year from the date of his locating the said claim.

24. During the absence of the Mining Recorder from his office, an application for a claim may be received by any person whom he may appoint to perform his duties in his absence. Substitute of Mining Recorder in case of absence.

VI.—SURVEYS.

25. Surveys of claims made under instructions issued by direction of the Commissioner of the Yukon Territory to a duly qualified Dominion Land Surveyor named by him, shall be accepted as defining absolutely the boundaries of the claims surveyed, provided the returns of the survey are approved by the Commissioner or an official appointed by him for that purpose, and that notice of such survey has been published in the Yukon Official Gazette for twelve successive issues thereof, and remains unprotested during that period. Surveys of claims by a D.L.S. to define boundaries. Notice in Official Gazette.

2. The owner of a claim so surveyed shall, prior to the first appearance of the advertisement in the Yukon Official Gazette, cause to be posted in a conspicuous spot on the claim a notice of his intention to advertise the survey of the claim and also a plan of the survey of the claim prepared by the surveyor. Notice and plan of survey.

3. If, within the time such notice is published, the survey is protested, the protest shall be heard and decided upon by the Gold Commissioner. The Gold Commissioner shall apportion the costs of such hearing against the parties to the suit as he thinks fair and just. Protest of survey decided by Gold Commissioner.

4. If a decision is rendered varying the boundaries of the claim from those defined by the advertised survey, the owner of the claim may have the claim re-surveyed and fresh returns prepared embodying the changes involved by such decision, and such re-survey being approved by the Commissioner of the Yukon Territory or the official appointed by him for that purpose, may be accepted by the Gold Commissioner in lieu of the survey that has been protested, without advertisement. Re-survey when decision varies boundaries.

5. The expenses in connection with the survey and advertisement of claims shall be defrayed by the owners of the claims, but no fees will be charged by the Government for filing plans or other documents in connection therewith. Costs of survey and advertisement.

26. The Commissioner of the Yukon Territory, on behalf of the Government of Canada, may authorize the survey of the base line of any creek and the side lines of any claim located on a creek, such survey to be made under the instructions of an official appointed by the said Commissioner. Commissioner may authorize survey in certain cases.

VII.—TITLE.

27. Any person having duly located a claim may obtain therefor a grant for one or five years by paying to the Mining Recorder, in advance, the fees prescribed in schedule D hereto, and upon receiving such a grant he shall be entitled to hold the claim for the period for which he received the grant, with the absolute right of renewal from year to year upon payment of the renewal fee : Provided, however, that during each year of the Grant of located claim. Renewal of grant.

Work to be done.

said period, and during each year for which such renewal is granted, such person shall do, or cause to be done, work on the claim to the value of two hundred dollars (the said work to be done in accordance with a schedule to be prepared by the Gold Commissioner and approved by the Commissioner of the Yukon Territory), and shall file within fourteen days from the date of the expiration of the said period or renewal thereof, with the Mining Recorder or his agent, an affidavit made by him or his agent, stating that such work has been done, and setting out a detailed statement thereof.

Affidavit.

When work done outside of claim is deemed to be done on claim.

2. Any such work done outside of a mining claim with intent to work the claim shall, if such work has direct relation, and is in direct proximity to, the claim, be deemed, if to the satisfaction of the Mining Recorder, to be work done on the claim for the purpose of this section.

Forfeiture of claim if work not done.

28. In the event of the work referred to in the next preceding section not being done as therein provided, the title of the owner to the claim shall thereupon become absolutely forfeited and the claim shall forthwith be open for relocation.

When owner does not renew, claim may be relocated.

Rights of owner.

29. If the owner of a claim has done the work referred to in section 26 of this Act but has failed to renew his grant thereto, the Mining Recorder may issue a grant to any person relocating such claim: Provided that the said owner of the claim shall have the right to apply for the cancellation of the latter grant within six months from the date at which the said claim came due for renewal, and the said latter grant shall be cancelled upon it being proven to the satisfaction of the Mining Recorder that the amount of work required to be done by section 26 of this Act was done by the said owner of the claim in accordance with the terms of that section, and upon the said owner of the claim paying a renewal fee of thirty dollars, if the application is made during the first three months, or a fee of forty-five dollars if the application is made during the second three months, and also paying the expenses to which the relocator may have been put by reason of locating and applying for the said claim and obtaining a grant thereto.

Fees and expenses of relocation.

Contestation of title.

30. No title shall be contested by any one who does not claim an adverse right, except by leave of the Commissioner of the Yukon Territory. In the event of a claim reverting to the Crown as a consequence of such litigation, the plaintiff shall have the first right to locate the said claim.

Proportionate contribution of work by co-owners.

31. If two or more persons own a claim, each such person shall contribute, proportionately to his interest, to the work required to be done by section 26 of this Act, and in the event of its being proven to the Gold Commissioner, after hearing all parties interested, that any co-owner has not done so, his interest shall become vested, by order of the Gold Commissioner, in the other co-owner or co-owners according to their former interests.

When claim disposed of, instrument to be recorded.

32. Any owner of a claim may sell, mortgage or dispose of it, provided the instrument showing such disposal be deposited with the Mining Recorder, who shall thereupon register the instrument

in duplicate and return to the assignee one of the duplicates with a certificate endorsed thereon that it has been recorded in his office and retain the other.

Agreements affecting title to be in writing and be recorded.

33. No agreement affecting the title of any placer claim, or of any interest therein, shall be enforceable against a person without notice, unless such agreement or some memorandum thereof is in writing, duly signed, and is recorded in the office of the Mining Recorder for the district in which the claim is located.

Right to fish and shoot;

34. Every person receiving a grant to a claim, or the permission referred to in section 19 of this Act, may, during the continuance of his grant or permission, fish and shoot for his own use, subject to the provisions of any law for the protection of fish and game, and may also cut timber, not otherwise acquired, for his own use and for any purpose incidental and necessary to the operation of his claim, and shall also have the exclusive right to enter upon his own claim for the miner-like working thereof and the construction of a residence thereon, and shall be entitled exclusively to all the proceeds realized therefrom, upon which, however, the royalty prescribed by this Act shall be payable: Provided that the Mining Recorder may, subject to an appeal to the Board of Arbitration hereinafter referred to, grant to the holders of other claims such rights of entry thereon as may be absolutely necessary for the working of their claims, upon such terms as to him seem reasonable, and may also grant permits to other claim owners to cut timber thereon for their own use.

Cut timber;

Construct residence.

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Rights of owner not affected by acts of officials.

35. No rights of any person owning or applying for a claim shall suffer from any acts of omission or commission, or delays, on the part of any official appointed under this Act.

When evidence of location lost, title may be vested in first bona fide acquirer.

36. Whenever, through the acts or defaults of any person other than the recorded owner of a mineral claim, or his agent by him duly authorized, the evidence of the location or record on the ground, or the situation of a mineral claim, has been destroyed, lost or effaced, or is difficult of ascertainment, effect shall nevertheless be given thereto as far as possible, and the Gold Commissioner may make all necessary inquiries, directions and references in the premises for the purpose of carrying out the object thereof, and vesting title in the first *bona fide* acquirer of the claim.

VIII.—GROUPING.

Performance of work by owners of adjoining claims.

37. Upon application being made to him by any person or persons owning adjoining claims, the Mining Recorder may, with the approval of the Commissioner of the Yukon Territory, grant permission for a term not exceeding ten years to any such person or persons to perform on any one or more of such claims all the work required to entitle him or them to a renewal grant for each claim so held by him or them: Provided, before any such permission is granted, the Government Mining Engineer shall furnish a report on the application, and (where the application

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is made by more than one person) the applicants shall file with the Mining Recorder a deed of partnership creating a joint liability between the owners of the claims for the joint working thereof.

Permission when claims are not all contiguous.

2. When the owners of adjoining claims cannot be included in such a partnership and it is shown to the satisfaction of the Commissioner of the Yukon Territory that the interests of the locality in which the claims are situated would be materially benefited thereby, the said permission may be granted, notwithstanding the claims are not all contiguous.

When grants of claims made renewable.

38. Grants of the claims referred to in the next preceding section and grants of any claims within a mining district, owned by one person, may be made renewable by the Mining Recorder on the same day.

IX.—WATER RIGHTS.

Owner of claim entitled to seepage and flowing water.

39. Every person owning a claim shall be entitled to the seepage water on his claim and to the use of so much of the water naturally flowing through or past his claim, and not already lawfully appropriated, as, in the opinion of the Mining Inspector, is necessary for the due working thereof, and shall be entitled to drain his own claim free of charge.

When right to divert or use water for purpose of ditches may be granted.

40. A Mining Recorder may, with the approval of the Commissioner of the Yukon Territory, upon application being made as hereinafter mentioned, grant to any person or persons for any mining purpose or any purpose incidental thereto, for any term not exceeding five years, or in special cases for such length of time as may be determined, the right to divert and use or sell the water from any stream or lake, at any particular part thereof, and the right of way through and entry upon any mining ground, for the purpose of constructing and repairing ditches and flumes to convey such water.

Notice of intention to apply for water grants.

41. Every applicant for a water grant shall, for twenty days previous to the making of the application, post at the following places a notice in writing of his intention to apply to the Mining Recorder for the grant therein referred to, viz: at the point of proposed diversion; on the mine on which such water is intended to be used; on each mine or person's land to be crossed by the water in course of transit to the place of user; and in the office of the Mining Recorder for the district; and shall forward a copy of his notice of application to the Gold Commissioner.

Particulars to be contained in notice.

2. Such notice shall contain the following particulars:—

(*a*) The name of the applicant;

(*b*) The name, or, if unnamed, a sufficient description of, the stream, lake or other source from which such water is intended to be taken;

(*c*) The point of diversion or intended ditch-head; and the point where the water is to be returned to the stream shall be given;

(*d*) The means by which it is intended to store or divert the same;

(*e*) The number of inches of water applied for;

(*f*) The purpose for which it is required, stated with reasonable particularity;

(*g*) The mine upon which the water is to be used, or if the right to sell water is asked, within what locality the right is to be exercised;

(*h*) The date of the posting of the notice, and the date on which application will be made to the Gold Commissioner for the granting of the record.

Application for water grant.

42. On the day mentioned in the notice of application or at a subsequent day and time to be fixed by the Mining Recorder, as the case may be, application shall be made by or on behalf of the applicant, either by attendance in person or by agent, or in writing, for a grant in accordance with the terms of the notice.

Adjudication of Mining Recorder upon application.

43. The Mining Recorder shall, at such day and time, proceed to adjudicate upon the application, and upon proof to his satisfaction of the publication of notice in manner aforesaid, of the ability of the applicant to construct the work, and of the right of the applicant to apply for a record under the foregoing provisions of this Act or any of them, and of the volume of unrecorded water available for diversion, having regard to existing rights and records, whether held by land owners or mine owners and to pending applications (which facts shall be reported upon by the Government Mining Engineer), may, with the approval of the Commissioner of the Yukon Territory, issue to the applicant a grant, in the form in schedule E to this Act, of such amount of water and for such purposes as in the discretion of the Mining Recorder, are reasonably required by the applicant for the purposes specified in his notice of application.

Adjournment of adjudication.

44. The Mining Recorder may adjourn such adjudication from time to time as circumstances render expedient, and may take evidence by statutory declaration and summon and examine witnesses upon oath, and hear all parties whose rights are or may be affected by the application.

Taking of evidence.

Cancellation or reduction of water gran by Mining Inspector in cases of waste or excess.

45. Every holder of a water grant shall take all reasonable means for utilizing the water granted to him, and if he wilfully wastes any water or takes a quantity of water in excess of his actual requirements, or has worked out or abandoned the claim or calims with respect to which the water grant was issued, the Mining Inspector may, upon notice, cancel or reduce the grant, or impose such conditions as he thinks proper. An appeal may be taken, at any time within ten days from any such action of the Mining Inspector, to the Gold Commissioner.

Appeal to Gold Commissioner.

Rights of miners saved.

46. Every grant of water on an occupied creek shall be subject to the rights of such miners as shall, at the time of such grant, be working on the stream above or below the ditchhead, and of any other persons lawfully using such water for any purpose whatsoever.

Amount of water to which worker of claim is entitled.

47. If, after the grant has been made, any person locates and *bona fide* works any mining claim below the ditch-head, on any stream so diverted, he shall be entitled to forty inches of water if two hundred inches be diverted, and sixty inches if three hundred inches be diverted, and no more, except upon paying to the owner of the ditch, and all other persons interested therein, compensation equal to the amount of damage sustained by the diversion of such extra quantity of water as is required; and in computing such damage, the loss sustained by any claims using water therefrom, and all other reasonable losses, shall be considered.

Distribution of water by holder of water grant.

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48. The holder of a water grant with the privilege of selling water may distribute the water to such persons and on such terms as he deems advisable, within the limits mentioned in his grant: Provided that the price charged for such water shall be subject to the control of the Commissioner of the Yukon Territory, and the water shall be supplied to all claim owners who make application therefor, in a fair proportion and without any discrimination.

Rules for measurement of water in ditches and sluices.

49. In measuring water in any ditch or sluice the following rules shall be observed:—

(*a*) The water taken into a ditch or sluice shall be measured at the ditch or sluice head;

(*b*) No water shall be taken into a ditch or sluice except in a trough placed horizontally at the place at which the water enters it;

(*c*) One inch of water shall mean half the quantity that will pass through an orifice two inches high by one inch wide with a constant head of seven inches above the upper side of the orifice;

(*d*) A sluice head shall consist of fifty such inches of water.

Construction of culverts by owners of ditches, etc.

50. The owners of any ditch, water privilege or mining right shall, at their own expense, construct, secure and maintain all culverts necessary for the passage of waste and superfluous water flowing through or over any such ditch, water privilege or right.

Ditches to be constructed so as not to damage property.

51. The owners of any ditch or water privilege shall construct and secure the same in a proper and substantial manner, and maintain the same in good repair, to the satisfaction of the Mining Recorder, and so that no damage shall occur to any road or work in its vicinity from any part of the works of such ditch, water privilege or right.

Liability of owners for damages.

52. The owners of any ditch, water privilege or right shall be liable for, and shall make good in such manner as the Mining Recorder determines, all damages which may be occasioned by or through any part of the works of the said ditch, water privilege, or right breaking or being imperfect.

Transfer of mine shall include water privileges.

53. Every grant of water obtained by the owner of a mine shall be deemed appurtenant to the land or mine in respect of which such record is obtained, and all assignments, transfers

or conveyances permitted by law, of any mine, whether such assignments, transfers or conveyances were or shall be made before or after the passing of this Act, shall be construed to have conveyed and transferred, and to convey and transfer, any and all recorded water privileges appurtenant to the mine assigned, transferred or conveyed.

X.—DRAINAGE OF MINES.

Right to run drains.

54. The Mining Recorder may grant permission to run a drain or tunnel for drainage purposes through any occupied or unoccupied lands whether mineral or not, and may give exclusive rights of way through and entry upon any mining ground for any term not exceeding five years, for the purpose of constructing and maintaining drains for the drainage thereof.

Compensation for damages from drains.

55. The grantee shall compensate the owners of lands or holders of claims entered upon by him for any damage they may sustain by the construction of such tunnel or drain, and such compensation, if not agreed upon, shall be settled by the Board of Arbitration hereinafter referred to, and be paid before such drain or tunnel is constructed.

Drains to be property of constructor.

56. Such drain or tunnel, when constructed, shall be deemed to be the property of the person by whom it has been so constructed.

Application for right to run drains.

57. Every application for a grant shall state the names of the applicants, the nature and extent of the proposed drain or drains, the amount of toll (if any) to be charged, and the privileges sought to be acquired, and shall, save where the drain is intended only for the drainage of the claim of the person constructing the same, be accompanied by a deposit of twenty-five dollars, which shall be refunded if the application is refused, but not otherwise. Ten full days' notice thereof shall be given between the months of June and November, and between the months of November and June one month's notice shall be given, by affixing it to a post planted in some conspicuous part of the ground, and a copy thereof conspicuously upon the inner walls of the Mining Recorder's Office for the District. Prior to such application, the ground included therein shall be marked out to the satisfaction of the Mining Recorder. Any person may protest before the Gold Commissioner within the times hereinbefore prescribed for the notice of such application, but not afterwards, against such application being granted.

Notice.

Ground to be marked out.

Protest of application.

Form of grant.

58. The grant of the right of way to construct drains and tunnels shall be in the form F in the schedule hereto. The grant shall be registered by the grantee in the office of the Mining Recorder, to whom he shall at the time pay a registration fee of five dollars, or, if the grant gives power to collect tolls, a fee of forty dollars. An annual rent of ten dollars shall be paid, in advance, by the said grantee for each quarter of a mile of right of way legally held by him, save where the drain is for the purpose of draining only the claim of the person constructing it.

Registration of grant.

Rent.

XI.—DISPUTES.

Claims recognized according to priority.

59. In case of any dispute as to the locating of a claim the title to the claim shall be recognized according to the priority of such locating subject to any question as to the validity of the record itself, and subject, further, to the claimant having complied with all the terms and conditions of this Act.

Board of Arbitrators to determine disputes.

60. Disputes between owners of claims with respect to the distribution of water, boundaries of claims, dumping and the matters referred to in the next following section, shall be heard and determined by a Board of Arbitrators appointed as follows:

Appointment of arbitrators.

Upon being apprised in writing of any such dispute the Gold Commissioner or Mining Recorder shall, by writing, request each of the parties to the dispute to appoint one or two arbitrators each, as he may direct, and the arbitrators so appointed and himself, as chairman, shall constitute the Board. From and after the receipt of such request by any party to the dispute, it shall be an offence against this Act for such party to do anything in connection with the subject matter of the dispute until it is heard and determined by the said Board.

Failure to appoint arbitrators.

2. In the event of any party to the dispute not appointing an arbitrator or arbitrators within five days from his being requested to do so, the Gold Commissioner or Mining Recorder shall appoint the arbitrator or arbitrators for such party.

Damages to claims of other persons.

61. Except as hereinafter provided no person mining upon any claim shall cause damage or injury to the holder of any claim other than his own by throwing earth, clay, stones or other material upon such other claim, or by causing or allowing water which may be pumped or bailed or may flow from his own claim, to flow into or upon such other claim.

When owner of claim may deposit leavings, etc., on adjacent claim.

2 If the owner of a claim wishes to deposit the leavings or deads therefrom on an adjacent c aim, he may do so upon the terms hereinafter set out, if the latter claim is of five years' standing and he has given one month's notice in writing to the owner thereof: Provided, if at the expiration of the said one month no agreement can be arrived at between the claim owners as to the price to be paid for the dumping ground, the owner giving the notice may apply to the Gold Commissioner or Mining Recorder to have the value and size of the dumping ground determined by the said Board of Arbitrators, and the said Board shall have power to permit so much of the said claim to be used for dumping, and at such a price as it deems just.

Proviso.

Judgment of the Board.

62. The judgment of the said Board shall be in writing and shall be filed in the office of the Mining Recorder for the district in which the dispute arises. Any such judgment shall be final as to facts, but may be appealed from to the Territorial Court on any question of law.

Appeal.

Costs of enquiry.

63. The said Board may award such costs of, and incidental to, the enquiry as it deems just.

When appeal allowed from Yukon courts.

64. There shall be no appeal in any litigat on arising out of the interpretation of this Act beyond the courts of the Yukon

Territory, except where the matter in controversy exceeds the sum or value of ten thousand dollars, exclusive of costs.

Affidavits and declarations, whom to be made before.

65. Affidavits and declarations required by this Act may be made before any Gold Commissioner, Mining Recorder, Mining Inspector, or any person duly authorized to administer an oath or declaration.

Pending litigation.

66. Nothing herein shall affect any litigation pending at the time this Act comes into force.

XII.—ADMINISTRATION OF ESTATES.

Abandonment of claim in case of death or insanity of owner.

67. If the owner of any mining claim dies or is adjudged to be insane, the provisions as to abandonment shall not apply, in the one case, either during his last illness or after his decease, or in the other case, either after he has been so adjudged, or, if it appears that the neglect or omission on account or by reason of which such claim would otherwise have been deemed to be abandoned was attributable to his insanity, during such period prior to his having been so adjudged as he shall be shown to have been insane.

Powers of Commissioner respecting property of deceased and insane owners.

68. The Commissioner of the Yukon Territory may either cause the mining property of any deceased or insane person to be worked in the usual manner, or may cause the working of such property to be dispensed with for such periods as the necessity of the case may, in his opinion, demand; and he may also, if he sees fit, cause the Public Administrator of the Territory to take possession of such mining property until it is administered by him under the provisions of any ordinance respecting the administration of the estates of deceased or insane persons in the Yukon Territory, now or hereafter to be made or passed, or until such mining property has been taken possession of by any person or persons entitled to take possession of it under letters of administration granted by the proper court in that behalf.

Expenses incurred by Commissioner, etc., to constitute a first charge on claim.

69. All charges and expenses which may be incurred by the Commissioner or the Public Administrator, or by any person acting under the instructions of either of them, in or about the working of the said mining property, or in taking or keeping possession thereof, shall be and remain a first charge against the same, until paid to the Commissioner or Public Administrator, as the case may be.

Time limited for applying for grant.

70. Any person receiving an assignment of a claim or interest in a claim from the Public Administrator shall apply for a grant thereof within two months from the date of such assignment.

XIII.— MINING OFFICIALS.

Mining officials.

71. The Governor in Council may appoint Gold Commissioners, Mining Recorders and Mining Inspectors, and deputies thereto, for carrying out the provisions of this Act.

"Mining districts," "mining divisions."

72. The Commissioner of the Yukon Territory may, by proclamation published in the official Gazette of the said territory, divide the said Territory into districts to be known as "mining districts" or " mining divisions," and may, as occasion requires, change the boundaries of such districts.

Jurisdiction of Gold Commissioner.

73. The Gold Commissioner shall have jurisdiction within such mining divisions as the Commissioner of the Yukon Territory directs, and within such shall also possess all the powers and authority of a Mining Recorder or Mining Inspector.

Mining Recorder.

74. A Mining Recorder shall be appointed in each mining district, and within such mining district he shall possess all the power and authority of a Mining Inspector.

Books to be kept by Mining Recorder.

75. Every Mining Recorder shall keep the following books, to be used for placer mining entries:—

(*a*) Record of applications,
(*b*) Record of refused applications,
(*c*) Record book,
(*d*) Record of abandonments, and
(*e*) Record of documents received,

and shall record all documents relating to mining property which are brought to him for record, and file all such documents as are brought to him to be filed.

Date of entry.

76. Every entry made in any of the Mining Recorder's books shall show the date upon which such entry is made.

Books open to public.

77. All books of record and documents filed shall, during office hours, be open to public inspection free of charge.

Certified copies as evidence.

78. Every copy of, or extract from, any entry in any of the said books, or of any document filed in the Mining Recorder's office, certified by the Mining Recorder to be a true copy or extract, shall be received in any court as evidence of the matters therein contained.

Fees.

79. Before issuing any grant, or making any entry in any book of record, or filing any document, or making any copy or extract therefrom, the Mining Recorder shall collect the fees payable in respect thereof, as set out in schedule D to this Act.

Money deposits.

80. The Mining Recorder shall receive all deposits of money directed to be made to him by this Act.

Monthly statement.

81. A statement of the grants issued and fees collected shall be rendered by the Mining Recorder to the Gold Commissioner at least every month, and such statement shall be accompanied by the amount collected, or, if deposited to the credit of the Receiver General, by the deposit receipts.

Jurisdiction of Mining Inspector.

82. The Mining Inspector shall have jurisdiction within such mining divisions as the Commissioner of the Yukon Territory directs.

83. The Mining Inspector may summarily order any mining works to be so carried on as not to interfere with or endanger the safety of the public or any employees of such mining works, or any public work or highway, or any mining property, mineral claims, mining claims, bed-rock drains or bed-rock flumes; and any abandoned works may, by his order, be either filled up or guarded to his satisfaction. Summary powers of Inspector.

2. Any person affected by an order of the Mining Inspector under this section may, within ten days, appeal therefrom to the Gold Commissioner. Appeal to Gold Commissioner.

84. The Gold Commissioner, Mining Recorder, Mining Inspector, or any deputy thereof, or any judge of the Territorial Court of the Yukon Territory, or any one deputed by any of them, may enter into or upon and examine any mineral claim or mine within the meaning of this Act. Examination of mineral claims.

XIV.—TAXATION AND FEES.

85. On all gold shipped from the Yukon Territory there shall be levied and collected a royalty not exceeding two and one-half per cent of its value; such royalty to be paid in currency to the Comptroller of the Yukon Territory or to some person authorized by him in that behalf, and the gold for the purpose of estimating such royalty shall be valued at fifteen dollars per ounce. Royalty on gold shipped from Yukon Territory.

86. The fees to be charged in connection with the administration of this Act shall be those set out in schedule D hereto. Fees.

87. All fees, fines, royalties or other moneys collected under this Act shall become part of the Consolidated Revenue Fund of Canada. Moneys collected to be part of Consolidated Revenue Fund.

XV.—PENAL AND MISCELLANEOUS.

88. Should it be proven to the satisfaction of the Mining Recorder that any person has been guilty of misrepresentation in the statement sworn to by him in recording any claim or in any of the statements required to be made by him under oath under this Act, or has removed or disturbed with intent to remove, or has defaced any legal post or stake or other mark placed under the provisions of this Act, the Mining Recorder may, in his discretion, order that such person be debarred from the right to obtain a grant or renewal of a grant to a claim for any length of time which he deems advisable. The Mining Recorder shall,forthwith, upon any such decision by him, notify every other Mining Recorder of such decision. Every such person shall have the right to appeal from such decision of the Mining Recorder to the Gold Commissioner. Misrepresentation in oath, removal of legal posts, etc. Appeal to Gold Commissioner.

89. Any person wilfully acting in contravention of this Act, or refusing to obey any lawful order of any official, court or Board having jurisdiction under this Act in mining disputes shall, on summary conviction before any two justices of the peace or a police or stipendiary magistrate, be liable to a fine not exceeding two hundred and fifty dollars, or to imprisonment, Penalties for contraventions of Act.

with or without hard labour, for any term not exceeding three months.

Right of Commissioner to construct roads.

90. Nothing herein contained shall be construed to limit the right of the Commissioner of the Yukon Territory to lay out, from time to time, public roads across, through, along or under any ditch, water privilege or mining right, without compensation.

Application and extent of Act.

91. No person shall be granted or acquire a placer mine or any right therein, or carry on placer mining in the Yukon Territory except in accordance with the provisions of this Act.

Exception as to rights under prior Orders in Council.

This section shall not affect any rights which have already been acquired under the "Regulations for the disposal of Mining Locations in the Yukon Territory to be worked by the Hydraulic or other mining process approved by Order in Council dated the third day of December, one thousand eight hundred and ninety-eight," and amendments thereto, and shall not affect any rights which have been or which may hereafter be acquired under the "Regulations governing the issue of leases to dredge for minerals in the beds of rivers in the Yukon Territory," approved by Order in Council dated the eighteenth day of January, one thousand eight hundred and ninety-eight.

Repeal of regulations under prior Orders in Council.

92. "The Regulations governing Placer Mining in the Yukon Territory," approved by Order in Council dated the thirteenth day of March, one thousand nine hundred and three, and "The Regulations for the disposal of the right to divert and use water from any stream or lake for mining purposes," approved by Order in Council dated the third day of August, one thousand eight hundred and ninety-eight, and all amendments thereto, are hereby rescinded and repealed: Provided that in the case of valid and subsisting rights which have been granted for a fixed period under any of the said regulations this Act shall not apply to such rights until the termination of such period.

Proviso.

Commencement of Act.

93. This Act shall come into force on the first day of July, one thousand nine hundred and six.

SCHEDULE A.

APPLICATION FOR GRANT FOR PLACER MINING AND AFFIDAVIT OF APPLICANT.

No.

I [*or*, we] of

hereby apply, under the Yukon Placer Mining Act, for a grant of a claim for placer mining as defined in the said Act, in [*here describe locality*], and I [*or*, we] make oath and say:—

1. That to the best of my [*or*, our] knowledge and belief the land is such as can be located under section 3 of the said Act.

2. That I [*or*, we] did on the day of 19 mark out on the ground, in accordance in every particular with the provisions of the said Act, the claim for which I [*or*, we] make this application, and in so doing I [*or*, we] did

not encroach on any other claim or mining location previously laid out by any other person.

3. That the length of the said claim, as nearly as I [*or*, we] could measure, is feet, and that the description of this date hereto attached, signed by me [*or*, us] sets forth in detail, to the best of my [*or*, our] knowledge and ability, its position.

4. That I [*or*, we] staked out the claim by planting two legal posts numbered 1 and 2, respectively, and that no. 1 is discovery.

5. That I [*or*, we] make this application in good faith to acquire the claim for the sole purpose of mining to be prosecuted by myself [*or*, us] or by myself and associates or by my [*or*, our] assigns.

Sworn before me at
this day of
19 .

[*Signature.*]

SCHEDULE B.

APPLICATION FOR RENEWAL OF GRANT FOR PLACER MINING AND AFFIDAVIT OF APPLICANT.

No.

I [*or*, we] of [agent for of] hereby apply under the Yukon Placer Mining Act for a renewal of a grant to the placer mining claim in the mining division, which said grant is number , and was issued to on the day of , 19 , and I make oath and say:—

1. That I am [*or*, we are] [the agent* of] the owner [*or*, owners] of placer mining claim in the mining division, and hold [*or*, that he holds*] a grant for the said claim dated the day of 19 .

2. That work has been done on the said claim to the value of at least two hundred dollars, in accordance with the schedule of representation work approved by the Gold Commissioner, between the day of 19 , and the day of 19 .

The following is a detailed statement of such work:

.....

.....

.....

Sworn before me at
in the Yukon Territory, this
day of 19 .

A Commissioner for taking affidavits
in the Yukon Territory.

*The words within these brackets to be used if application is made by an agent.

SCHEDULE C.

GRANT FOR PLACER MINING.

No

Department of the Interior,

Agency, 19 .

In consideration of the payment of dollars, being the fee prescribed by schedule "D" to the Yukon Placer Mining Act, by A. B., of , accompanying his [*or*, their] application no. dated 19 , for a mining claim in [*here insert description of locality*].

The Minister of the Interior hereby grants to the said A. B. for a term of year . from the date hereof, the exclusive right of entry upon the claim [*here describe in detail the claim granted*] for the miner-like working thereof, and the construction of a residence thereon, and the exclusive right to all the proceeds realized therefrom, upon which, however, the royalty prescribed by the said Act shall be paid.

The said A.B. shall be entitled to the use of so much of the water naturally flowing through or past his [*or*, their] claim, and not already lawfully appropriated, as shall be necessary for the due working thereof, and to drain his [*or*, their] claim, free of charge.

This grant does not convey to the said A.B. any right of ownership in the soil covered by the said claim, and the said grant shall lapse and be forfeited unless the provisions of section 26 of the Yukon Placer Mining Act are strictly complied with.

The rights hereby granted are those laid down in the said Act and no more, and subject to all the provisions of the said Act, whether they are expressed herein or not.

Mining Recorder.

SCHEDULE D.

SCALE OF PRICES TO BE CHARGED.

For grant to a claim for one year	$10 00
For grant to a claim for five years	70 00
For renewal of grant to a claim	15 00
Recording an abandonment	2 00
Registration of any document	2 00
If it affects more than one claim, for each additional claim	1 00
For filing any document	1 00
Abstract of title—	
For first entry	2 00
Each additional entry	0 50

For copy of document—	
Up to 200 words	2 50
For each additional 100 words	0 50
For grant of water—	
Of 50 inches or less	10 00
From 50 to 200 inches	25 00
From 200 to 1,000 inches	50 00
For each additional 1,000 inches or fraction thereof	50 00

SCHEDULE E.

GRANT OF RIGHT TO DIVERT WATER AND CONSTRUCT DITCHES.

No.

Agency 19 .

In consideration of the sum of dollars paid on the date application is made for this grant.

The Minister of the Interior in accordance with the Yukon Placer Mining Act hereby grants to for the term of years from the date hereof, the right to divert, [*sell,] and use the water from to the extent of inches, and no more, to be distributed as follows:

and the right of way through and entry upon the following mining grounds :

for the purpose of constructing ditches and flumes to convey such water, provided that at least the sum of dollars, shall be expended on the said ditches and flumes within one year from the date hereof, and provided that such ditches and flumes are constructed and in working order within from the date hereof.

Provided, that this grant shall be deemed to be appurtenant to Mining Claim No. and shall cease and determine whenever the said claim shall have been worked out or abandoned, or the occasion for the use of such water upon the said claim shall have permanently ceased.

†

Provided also, that this grant is subject to all the provisions of the said Act in that behalf whether the same are expressed herein or not. It is expressly the condition of this grant that the same is issued subject entirely to all rights subsisting at this date to the water in respect to which this grant is issued. Water to be flumed and tailings to be handled to the satisfaction of the Mining Inspector.

$

Mining Recorder.

*To be inserted in a grant to sell water.

†If the right to sell water is granted, insert the following:—

"Provided also, that the price charged for the water shall be subject to the control of the Commissioner of the Yukon Territory, and the water shall be supplied to all claim owners who apply therefor in a fair proportion and without any discrimination."

SCHEDULE F.

TUNNEL OR DRAIN LICENSE.

No.

To all whom it may concern,

Take notice that

the owner of placer claim

in

Mining Division, having given security to the amount of

for any damage he may do, has this day obtained a license from me to run a tunnel [*or*, drain] from

to his said claim.

The said license is granted on these express conditions:—

[*Set out conditions, if any.*]

Dated at the day of 19 .

Mining Recorder.

No. 153.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Placer Mining in the Yukon Territory.

First reading, May 2, 1906.

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 154.] **BILL.** [1906.

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

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

1894, c. 31, s. 4 amended.

Buffalo not to be killed until 1912.

1. Section 4 of the Unorganized Territories' Game Preservation Act, 1894, as that section is enacted by section 1 of chapter 12 of the statutes of 1902, is amended by striking out the word "seven," in the fourth line thereof and substituting therefor the word "twelve."

No. 154.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

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

First reading, May 2, 1906.

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 155.] **BILL.** [1906.

An Act to amend the Criminal Code, 1892.

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

1892, c. 29, new section added.

1. The Criminal Code, 1892, is amended by inserting immediately after section 851 thereof the following section:—

Commission to take evidence outside Canada in certain cases.

"**851A.** A judge of any superior or county court may appoint a commissioner or commissioners to take the evidence upon oath of any person who resides out of Canada and is stated to be able to give material information relating to an offence for which a prosecution is pending under this part, or relating to any person accused of such offence, in the circumstances and in the manner, *mutatis mutandis*, in which he might do so under section 683 in the case of an indictable offence: Provided that no such appointment shall be made without the consent of the Attorney General.

Consent of Attorney General.

Provisions of s. 683 to apply.

"2. The provisions of the said section 683 in respect of matters arising thereunder shall apply, *mutatis mutandis*, to matters arising under this section."

No. 155.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Criminal Code, 1892.

First reading, May 2, 1906.

Mr. Fitzpatrick.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 156.] **BILL.** [1906.

An Act to amend the Exchequer Court Act.

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

1. Section 51 of chapter 16 of the statutes of 1887, as that section is enacted by section 1 of chapter 35 of the statutes of 1890, is amended by adding thereto the following subsection:— 1887, c. 16, s. 51 amended.

"2. A judgment shall be considered final for the purpose of this section if it determines the rights of the parties, except as to the amount of the damages or the amount of liability." When judgment shall be deemed fina .

No. 156.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to amend the Exchequer Court Act.

First reading, May 8, 1906.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 157.] **BILL.** [1906.

An Act to incorporate the Hillcrest Railway, Coal and Coke Company.

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

1. M. P. Davis and John Thompson, both of the city of Ottawa, C. P. Hill, of the town of Hillcrest, in the province of British Columbia, W. L. Bell, of the city of Winnipeg, and C. E. Ross, of the city of New York, in the United States, together with such persons as become shareholders in the company, are incorporated under the name of "The Hillcrest Railway, Coal and Coke 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. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be in the city of Ottawa, in the province of Ontario. Head office.

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

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

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point at or near the town of Morrisey, in the province of British Columbia, via the Crow's Nest Pass, to a point at or near Hillcrest Junction, on the line of the Crow's Nest branch of the Canadian Pacific Railway, thence in a south-easterly direction to the town of Cardston, in the province of Alberta; and the Company may lay out, construct and operate branch lines to the town of Pincher Creek, in the province of Alberta, and to the coal deposits in township five, range one, west of the fifth principal meridian, and from a point on the Company's line of railway near the said coal deposits to the oil fields in the vicinity of what is known as the Little Kootenay lakes, in the province of Alberta. Line of railway described.

Carriers and express business.

8. The Company may, in connection with its undertakin and for the purpose of its railway business, carry on the business of carriers, forwarding and transportation agents, express-men and all other business incident thereto or connected therewith.

Lands and minerals.

9. The Company may purchase, lease, acquire, sell and mortgage timber and oil lands, coal and other mineral lands and mines, and may mine coal and other minerals, and may manufacture and sell the products of such mines and lands:

Proviso.

Provided that the Company shall not purchase, lease or acquire more than fifty thousand acres of land.

Roads, ropeways and tramways.

10. The Company may, for the purpose of transporting ore or other freight, construct, acquire and operate, or aid in and subscribe towards the construction, operation, maintenance and improvement of such wagon roads, ropeways and tramways to or from any point on its railway, and not exceeding in any one case ten miles in length, as are from time to time authorized by the Governor in Council.

Electricity, water, gas, etc.

11. The Company may manufacture, use, supply and dispose of electricity, water and gas, and water, hydraulic, compressed air or other power by means of poles, wires, cables, pipes, conduits, machinery or other appliances; and construct, maintain and operate works, machinery and plant for the production, sale and distribution thereof, and may supply, sell, or otherwise dispose of any surplus water, electricity, electric or other power so developed or generated and not required for the purposes of the Company; and for the purposes aforesaid may acquire lands by purchase, lease or otherwise, and construct, acquire, use, maintain and operate canals, water courses, race-ways and water powers in or adjacent to the property of the Company, and construct dams, wing-dams, sluice conduits and buildings in connection therewith.

Telegraphs and telephones.

12. The Company may construct and operate telegraph and telephone lines upon its railway, and for the purposes of operating such lines, or exchanging or transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own line to, any such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telephones or telegraphs of the Company, until it has been approved of by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C., c. 132.

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

Issue of securities on railway.

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

14. In addition to the bonds, debentures and other securities authorized by the next preceding section, the Company, being first authorized by a resolution passed at a special general meeting of its shareholders at which 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 or for the acquisition of 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 property.

Issue of securities on property other than railway.

15. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with the Canadian Pacific Railway Company and the Great Northern Railway Company for any of the purposes specified in the said section 281.

Agreements with other companies.

No. 157.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Hillcrest Railway, Coal and Coke Company.

First reading, May 9, 1906.

(PRIVATE BILL.)

MR. GALLIHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 158.] **BILL.** [1906.

An Act to incorporate the Burk's Falls and French River Railway Company.

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

1. R. J. Watson, of Burk's Falls, Valentine Ratz, of Park Hill, R. Cook, of South River, D. R. McLean and Albert A. Agar, of Burk's Falls, in the Province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Burk's Falls and French 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. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be in the town of Burk's Falls in the province of Ontario. Head office.

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

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

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from the town of Burk's Falls, in the township of Armour, in the district of Parry Sound, in the province of Ontario, thence north-westerly, by the most feasible route, to the French River. Line of railway described.

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

9. Subject to the provisions of sections 281, 282 and 283 of the Railway Act, 1903, the Company may enter into agreements with Agreements with other companies.

all or any of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company and the James Bay Railway Company.

Vessels.

10. The Company may, for the purposes of its business, build, purchase, hire or otherwise acquire, charter, own, control and operate steam and other vessels for the purposes of the Company; and may enter into agreements with owners of such vessels for any of such purposes.

Powers.

11. The Company may—

Development of lands.

(*a*) acquire, utilize and develop lands, water-powers, rights, easements and privileges in the vicinity of its railway, and construct, maintain and operate dams, reservoirs, buildings and works for the generation, transmission and distribution of electricity for light, heat, power or any other purpose in connection with its railways, vessels and other properties and works, and for the purpose of supplying water for the use of its railways, vessels and other properties and works; and may supply, sell or otherwise dispose of any surplus water, electricity, electric or other power so developed or generated and not required for the purposes of the Company; and may take, hold and dispose of shares in, and enter into agreements with any company incorporated for any of the purposes aforesaid;

Water powers, etc.

Construction of dams and buildings for electricity.

Shares in certain companies.

Shares in mining companies.

(*b*) take, hold and dispose of shares in any incorporated company authorized to acquire, develop, work and dispose of mines, minerals, mining rights, timber and timber lands in the vicinity of any of its lines of railway or branches, or to crush, smelt, reduce amalgamate or otherwise treat and dispose of the ores and products of any such mines, or to engage in general mining and lumbering operations upon such lands, or in the manufacture and sale of the products thereof.

Telegraphs and telephones.

12. The Company may construct, acquire and operate telegraph and telephone lines upon its railway, and for the purposes of operating such lines or exchanging or transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, such companies.

Rates and charges.

2. The Company may transmit messages for the public and collect charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved by the Governor in Council, who may also revise such rates and charges from time to time.

R.S.C., c. 132.

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

No. 158.

2nd Session, 10th Parliament, 6 Edward VII., 1906

BILL.

An Act to incorporate the Burk's Falls and French River Railway Company.

First reading, May 10, 1906.

(PRIVATE BILL.)

Mr. McKENZ

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 159.] **BILL.** [1906.

An Act to incorporate the Cobalt Range Railway Company.

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

1. Louis Henry Timmins, of the town of Mattawa, in the district of Nipissing, John McMartin, of the town of Cornwall, in the county of Stormont, and John Joseph Heney, Charles Arthur McCool and Michael James Gorman, all of the city of Ottawa, in the county of Carleton, together with such persons as become shareholders in the company, are incorporated under the name of "The Cobalt Range 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. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be in the town of Haileybury, in the district of Nipissing. Head office.

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

6. The number of directors shall be five, one or more of whom may be paid directors. Directors.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from the town of Haileybury, in the district of Nipissing, via the townships of Bucke, Coleman and Lorrain, in the said district, to a point in the said township of Lorrain opposite Fort Temiscamingue, in the county of Pontiac, thence across the Ottawa River by railway steam ferry to Fort Temiscamingue, thence to Ville Marie in the said county, and easterly and southerly either to a point on the proposed line of the Interprovincial and James Bay Railway, between Ville Marie and Kippewa, or to the present terminus of the Lake Temiskaming Colonization Railway at or Line of railway described.

near Kippewa station in the said county, and may connect with the said railways and with the Temiskaming and Northern Ontario Railway at or near the said town of Haileybury.

Ferries, hotels, warehouses, etc.
Charter of another company.

8. The Company may build, own and maintain railroad ferry steamboats, hotels, docks, elevators and warehouses in connection with its railway, and may acquire the charter and assets of the Temiskaming Navigation Company.

Issue of securities.

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

Agreements with other companies.

10. Any agreement provided for in section 281 of the Railway Act, 1903, may be entered into between the Company and the Temiskaming and Northern Ontario Railway Commission, the Interprovincial and James Bay Railway Company, the Lake Temiskaming Colonization Railway Company and the Temiskaming Navigation Company.

No. 159.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Cobalt Range Railway Company.

First reading, May 10, 1906.

(PRIVATE BILL.)

MR. McCOOL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 160.] **BILL.** [1906.

An Act respecting Queen's College at Kingston.

WHEREAS Queen's College at Kingston has by its petition prayed that it be enacted as hereineafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1882, c. 123; 1889, c. 103.

1. In addition to the members of the board of trustees as now constituted, the graduates of Queen's College at Kingston may elect five persons to be members of the board of trustees of the said college, and such persons may be elected without regard to their church connections. Additional trustees elected by graduates.

2. One of the said trustees shall retire annually, and the order of such retirement shall be prescribed by by-law of the University Council. Annual retirement of one trustee.

3. The University Council may pass by-laws to regulate the election of such trustees. By-laws regulating election.

No. 160.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Queen's College at Kingston.

First reading, May 10, 1906.

(PRIVATE BILL.)

MR. HARTY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No.161.] **BILL.** [1906.

An Act to incorporate the Trans-Niagara Bridge Company.

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

1. Frederic Nicholls, H. G. Nicholls, E. R. Wood, Henry M. Pellatt and Allan H. Royce all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Trans-Niagara Bridge 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, of whom three shall be a buorum, and they shall have all the powers which are conferred upon directors by the Companies Act, 1902, and by this Act. Provisional directors.

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

5. The head office of the Company shall be at the city of Toronto, in the province of Ontario, or at such other place as the directors determine by by-law. Head office.

6. The annual meeting of the Company shall be held on the second Tuesday in September, and at each such meeting not less than five nor more than nine persons shall be elected directors of the Company, one or more of whom may be paid directors. Annual meeting. Election of directors.

7. The Company may— Powers of Company.

(*a*) construct, maintain and operate a bridge with the necessary or proper approaches and terminal facilities over the Niagara River from a point in or near the city of Niagara Falls in the province of Ontario north of the upper steel arch bridge, so-called, to a point in or near the city of Niagara Falls in the state of New York, and may construct and arrange the bridge for the passage of pedestrians, cars and vehicles propelled or drawn by Bridge.

any power and for general traffic purposes, and may lay tracks on the bridge and on its terminal property in or near the said cities for the passage of railway and other cars, and may charge tolls for the passage of cars, vehicles, pedestrians and general traffic over the bridge, approaches and terminal property, or for the use thereof;

Tolls.

Pipes and cables.

(*b*) lay, maintain and operate along, upon or under the said bridge gas, water and other pipes and wires, cables and other appliances for the transmission of electricity or other motive power, and may enter into contracts for the construction, maintenance or operation thereof.

When bridge may be commenced.

8. The Company shall not commence the said bridge or any work thereunto appertaining until the plans thereof and of the proposed site of the bridge have been submitted to and approved of by the Governor in Council, and such conditions as he thinks fit to impose touching the said bridge and works are complied with, nor shall any such plans be altered nor any deviation therefrom allowed except upon the permission of the Governor in Council, and upon such conditions as he imposes.

Tolls.

9. The directors may fix and regulate the tolls to be charged; provided that such tolls shall be equal to all persons and companies using the said bridge, its machinery, approaches, terminals and appurtenances and the tolls charged by the Company shall first be approved of by the Board of Railway Commissioners for Canada, who may revise such tolls from time to time, and so long as all companies and persons are charged equal rates and given equal terms and facilities, the directors may, if they think proper, charge less than the said rates.

Agreement with United States company respecting bridge.

10. The Company may unite with any other company incorporated under the laws of the state of New York, or of the United States, in building, working, managing, maintaining and using the said bridge, terminals and approaches and may make agreements with such company respecting the construction, maintenance, management and use of the said bridge and its appurtenances, and may make agreements with any other company for conveying or leasing the said bridge to such company, in whole or in part, or any rights or powers acquired by it, as also the franchises, surveys, plans, works, plant, machinery and other property to it belonging, or for an amalgamation with such company, on such terms and conditions as are agreed upon and subject to such restrictions as to the directors seem fit: Provided that such agreement has been first approved by two-thirds of the votes at a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the subscribed stock of the Company are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

Issue of securities.

11. The directors may, in the manner prescribed by sections 111 and 112 of the Railway Act, 1903, issue, sell or pledge and secure bonds, debentures and other securities to an amount not exceeding two million dollars. The mortgage deed securing

such bonds shall be deposited in the office of the Secretary of State of Canada, of which deposit notice shall be given in the *Canada Gazette*, and no other registration or filing of such mortgage shall be required, and should the Company unite with another company in constructing the bridge and its works as authorized by section 10 of this Act, the Company may join with such other company in issuing, selling, pledging, guaranteeing and securing bonds, debentures or other securities; provided that the total thereof jointly shall not exceed one milion dollars.

Mortgage securing bonds.

12. The said bridge shall be commenced within two years after the Governor in Council and the Executive of the United States or other competent authority therein has approved of such bridging, and shall be completed within five years thereafter, otherwise the powers granted by this Act shall cease and be null and void as respects so much of the undertaking as then remains uncompleted: Provided, however, that if such approval is not obtained within five years after the passing of this Act the powers granted for the construction of the said bridge shall cease and be null and void.

Time for construction of bridge limited.

13. Any agreement provided for in section 281 of the Railway Act, 1903, may, subject to the provisions of the said section, be entered into between the Company and the Trans-Niagara Bridge Company, a company incorporated under the laws of the United States or of the state of New York.

Agreement with another company.

14. Any railway company whose road now has or shall hereafter have a terminus at or shall run its trains to or from any point at or near either end of the said bridge, or shall run its trains in connection with any railway having such terminus, or upon which trains are or shall be run to or from the localities aforesaid, whether incorporated by Parliament or by any provincial legislature, or by authority in the state of New York, or by the Congress of the United States, shall have and be entitled to the same and equal rights and privileges in the passage of the said bridge, and in the use of the machinery and fixtures thereof, and of all of the approaches thereto, without discrimination or preference, upon such terms and conditions as are fixed by the Board of Railway Commissioners for Canada; and the said Board may make and enforce such orders for the purposes of carrying out the provisions of this section as it thinks necessary.

Use of bridge by railway companies.

Regulation by Board of Railway Commissioners.

15. Whenever in this Act the expression "the said bridge" occurs, it means the bridge, approaches, lands and works hereby authorized.

"The said bridge" defined.

16. The following sections of the Railway Act, 1903, namely, 51 to 117, both inclusive, 118, except paragraph (*b*) thereof, 119 to 196, both inclusive, 206 to 210, both inclusive, 242, 251, 252, 280 to 284, both inclusive, 303 and 309 shall, so far as applicable, and except as they are extended, limited or qualified hereby, apply to the works and undertaking of the Com-

1903, c. 58.

pany, and wherever in the said sections the word "railway" occurs it shall, for the purposes of the Company, and unless the context otherwise requires, mean the said bridge.

R.S.C., c. 118. **17.** The Companies Clauses Act shall not apply to the Company.

No. 161.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Trans-Niagara Bridge Company.

First reading, May 10, 1906.

(PRIVATE BILL.)

MR. CALVERT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 162.] **BILL.** [1906.

An Act respecting the Fiscal Year.

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

Interpretation.

1. In this Act the expression "old fiscal year" means the fiscal year as heretofore constituted, and the expression "new fiscal year" means the fiscal year as constituted under section 2 of this Act.

R.S.C., c. 29, new s. 37.

2. Section 37 of the Consolidated Revenue and Audit Act, chapter 29 of the Revised Statutes, is repealed and the following is substituted therefor:—

What period public accounts shall include.

"**37.** The public accounts shall include the period from the first day of April in one year to the thirty-first day of March in the next year, which period shall constitute the fiscal year; all estimates submitted to Parliament shall be for the services coming in course of payment during the fiscal year; and all balances of appropriation which remain unexpended at the end of the fiscal year shall lapse and be written off: Provided, that upon cause being shown to the satisfaction of the Governor in Council he may, by Order in Council to be made before the first day of May of each year, extend the time for finally closing the account of any appropriation, for a period of not more than three months from the end of the fiscal year,—after the expiration of which extended time, and not before, the balance of such appropriation shall lapse and be written off."

Balances unexpended.

Proviso for extension of time for closing accounts of appropriation.

Sections 35 and 38 amended.

3. Sections 35 and 38 of the said Act are amended by substituting, for the days therein designated respectively, days bearing the same relation to the new fiscal year as those days bear to the old fiscal year; and in like manner wherever in any other Act times or days are appointed or designated for any purpose by reason or on account of their relation to the old fiscal year, such Acts are hereby amended by substituting for such times and days respectively times and days bearing to the new fiscal year the same relation as those times and days bear to the old fiscal year.

Other Acts amended.

Cases of doubt, etc., arising in other Acts may be determined by Governor in Council.

4. In any case of doubt, or where the fact does not appear from the subject-matter or context, the Governor in Council may determine whether times or days appointed or designated in any Act heretofore passed were or were not appointed or designated by reason or on account of their relation to the old fiscal year, and as to whether such Act is or is not amended by section 3 of this Act.

Commencement of Act.

Period of fiscal year 1906-1907.

5. This Act shall come into force on the first day of July, one thousand nine hundred and six, except that the fiscal year 1906–1907 shall consist of nine months only, beginning on the said first day of July and ending on the thirty-first day of March, one thousand nine hundred and seven.

No. 162.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Fiscal Year.

First reading, May 10, 1906.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 163.] **BILL.** [1906.

An Act to authorize the exchange of certain school lands for other Dominion lands.

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

Power to include certain school lands in a forest nursery station.

1. Notwithstanding anything in the Dominion Lands Act, chapter 54 of the Revised Statutes, or in any other Act relating to Dominion lands, the Governor in Council may include in any reservation now or hereafter set aside and established for the purposes of a forest nursery station, certain school lands, namely, the north half of section eleven, township eighteen, range thirteen west of the second meridian; and such lands shall thereupon cease to be school lands.

Other Dominion lands to be set apart in lieu thereof.

2. The said lands shall not be included in any reservation until the Minister of the Interior has, by notice in the *Canada Gazette*, set apart, as school lands, other Dominion lands of equal area and value, as nearly as may be, in lieu of the lands mentioned in subsection 1 hereof.

Power to sell certain school lands.

2. Notwithstanding anything in the said Acts the Minister of the Interior may, under the authority of the Governor in Council, sell, for such price and on such terms and conditions as he deems proper, to the joint stock company incorporated under the laws of the province of British Columbia, and known as "The Canadian Oil and Mines, Limited," the following school lands, namely, the north west quarter of section twenty-nine, in township one, range thirty, west of the fourth meridian.

Other Dominion lands to be set apart in lieu thereof.

2. Such sale shall not be made until the Minister of the Interior has, by notice in the *Canada Gazette*, set apart as school lands, other Dominion lands of equal area and value, as nearly as may be, in lieu of the lands mentioned in subsection 1 hereof.

No. 163.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to authorize the exchange of certain school lands for other Dominion lands.

First reading, May 14, 1906.

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 164.] **BILL.** [1906.

An Act to amend the Rocky Mountains Park Act.

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

1887, c. 32, s. 4 amended.

Power to sell certain town lots.

1. Paragraph (*c*) of subsection 1 of section 4 of the Rocky Mountains Park Act, chapter 32 of the statutes of 1887, is amended by adding thereto the following words:—"and for the sale of lands laid out in town lots and shown on the following plans:—

(i) Plan of the town lot, Rocky Mountains Park of Canada, in the province of Alberta, signed by George A. Stewart, D.L.S., and dated July 2nd, 1888;

(ii) Plan of the town lot of Canmore, signed by A. J. Brabazon, D.L.S., without date.".

No. 164.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Rocky Mountains Park Act.

First reading, May 4, 1906.

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 165.] **BILL.** [1906.

An Act to amend the General Inspection Act.

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

1. Section 121 of the General Inspection Act, chapter 99 of the Revised Statutes, as the said section is enacted by section 1 of chapter 14 of the statutes of 1904, is amended by striking out of the sixth and seventh lines of the said section 121 the words "but there shall be attached to every ball so manufactured a label," and substituting therefor the word "nor." R.S.C., c. 99, s. 121 amended. Twine for export.

No. 165.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the General Inspection Act.

First reading, May 14, 1906.

MR. HALL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 167.] **BILL.** [1906.

An Act respecting Government Telephone Systems in the Province of Manitoba.

Preamble.

WHEREAS the Legislative Assembly of the province of Manitoba has by its memorial represented that it is desirable in the interests of the people of the said province that the Government of the said province should be able to construct or acquire and to maintain and operate a public telephone system or systems throughout the said province so as to insure reasonable charges for the use of telephones and uniform telephone service throughout the said province and a more rapid extension thereof to every part of the said province, and that it is expedient and necessary to such construction and acquisition that the said Government should have power to expropriate upon reasonable terms the property and franchises of any telephone system at present owned and operated in the said province, whether by companies organized under the laws of the said province or of Canada, and particularly by the Bell Telephone Company of Canada, and that it is doubtful whether under the present law such expropriation can be made and enforced under any statute to be passed by the Legislature of Manitoba, and has prayed that it be enacted as hereinafter set forth and it is expedient to grant the prayer of the said memorial: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Power of Manitoba Government to purchase or expropriate telephone systems within province.

1. The Government of Manitoba, when so authorized by the Legislature of the said province, may purchase or take by way of expropriation from any person or corporation owning any interest in any telephone system within or partly within the said province the whole or any portion of the interest of the said person or corporation in the said telephone system or in any portion thereof, in so far as the same is situate within the said province, and for the purpose of this section the word "system" shall include the land, plant, supplies, buildings, works, rights, franchises, easements, assets and property of every kind owned, held or used for the purpose of or in connection with the same or with the operation thereof.

"System" defined.

Price to be paid.

2. The price to be paid by the said Government to the said person or corporation for the property so purchased or expropriated may be fixed by agreement between the parties, but if it be not so fixed it shall be determined in the manner and by the proceedings provided by the Manitoba Expropriation Act, subject to any variations or amendments thereof made by the Legislature of Manitoba.

Manitoba Government may delegate to municipalities its powers of purchase and expropriation.

3. The Legislature of Manitoba may delegate to any municipality in the said province the same powers of purchase and expropriation with regard to any telephone system, and the property thereof, within its territorial limits, as are by this Act conferred upon the Government of the said province when authorized by any Act of the said legislature.

Bell Telephone Co. declared subject to Legislature of Manitoba.

4. Notwithstanding anything contained in chapter 67 of the statutes of 1880, incorporating the Bell Telephone Company of Canada, or in any Act amending the said Act, the property and business of the said company situated within the province of Manitoba, including land, plant, poles, wires, supplies, buildings, works, rights, franchises, easements, assets and appliances of every kind and nature, shall be subject to the legislative jurisdiction of the Legislature of the said province.

No. 167.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Government Telephone Systems in the Province of Manitoba.

First reading, May 15, 1906.

Mr. Roche,
(Marquette)

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 170.] **BILL.** [1906.

An Act respecting Immigration and Immigrants.

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

SHORT TITLE.

1. This Act may be cited as the Immigration Act. Short title.

INTERPRETATION.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) The expression "immigrant" means and includes any steerage or second-class passenger, any "stow-away" or "work-a-way" on any vessel, whether or not entered as a member of the crew after the vessel has sailed from its first or last port of departure, and any saloon passenger or member of the crew who, upon inspection, is found to come within any class liable to exclusion from Canada; "Immigrant."

(*b*) The expression "immigration agent" includes commissioners of immigration and any sub-agents within or outside of Canada; "Immigration agent."

(*c*) The expression "land" or "landing," as applied to passengers or immigrants, means their admission (after having complied with the requirements of the Immigration Act), into Canada, otherwise than for inspection or treatment, or other temporary purpose provided for by this Act, or by any order in council, or proclamation, or regulation made thereunder; "Land," "landing."

(*d*) The expression "master" means any person in command of a vessel; "Master."

(*e*) The expression "medical officer" includes "medical superintendent," "medical inspector" and "inspecting physician;" "Medical officer."

(*f*) The expression "Minister" means the Minister of the Interior; "Minister."

(*g*) The expression "owner," as applied to a ship or vessel, includes the charterer of such ship or vessel and the agent of the owner thereof; "Owner."

(*h*) The expression "passenger" includes any person carried upon a railway train or other vehicle and in a vessel, other than the master and crew, as well as all immigrants coming into Canada, but not troops or military pensioners and their families, who are carried in transports or at the expense of the Government of the United Kingdom, or of any colony thereof; "Passenger."

(*i*) The expression "port of entry" means any port, railway station, or place at which immigrants enter Canada, or at which there is an immigration agent, or where the medical inspection of immigrants is carried on; "Port of entry."

"Ship," "vessel."

(*j*) The expression "ship" or "vessel" includes all ships, vessels, boats, or craft of any kind carrying passengers.

Who shall be deemed immigration agent.

3. Every person recognized by the Minister as an immigration agent shall, with reference to any act done or to be done under this Act, and without formal appointment, be deemed to be an immigration agent for the purposes of this Act.

IMMIGRATION OFFICES.

Where immigration offices shall be maintained.

4. The Minister may establish and maintain immigration offices at such places within and outside of Canada as from time to time seems proper.

APPOINTMENT, POWERS AND DUTIES OF OFFICERS.

Immigration officers who may be appointed.

5. The Governor in Council may appoint a superintendent of immigration, commissioners of immigration, immigration agents, medical officers and such other officers as are necessary to give effect to this Act.

Subordinate officers appointed by Minister.

6. Subject to the provisions of the regulations in that behalf, if any, the Minister may appoint, or employ, either permanently or temporarily, subordinate officers, including police guards, inspectors, matrons and nurses to assist immigration agents and medical officers in carrying out the provisions of this Act, and of any orders in council, proclamations or regulations made thereunder, and may confer upon them, and charge them with, such power and duties as he considers necessary or expedient.

Appointment of subordinate officers in cases of emergency.

7. Subject to the provisions of the regulations in that behalf, if any, immigration agents and medical officers may in emergency appoint or employ any such subordinate officers as aforesaid.

When customs officer is ex-officio immigration agent.

8. When no immigration agent has been appointed at any port of entry, the customs officer at that port shall be, ex-officio, immigration agent.

Duties of officers.

9. Every officer appointed under this Act shall perform any and all duties prescribed for him by this Act, or by any order in council, proclamation or regulation made thereunder, and shall also perform such duties as are required of him by the Minister, either directly or through any other officer, and no action taken by any such officer under or for the purpose of this Act shall be deemed to be invalid or unauthorized, merely because it was not taken by the officer specially appointed or detailed for the purpose.

REGULATIONS.

Regulations may be made by Governor in Council.

10. The Governor in Council may, on the recommendation of the Minister, make such orders and regulations, not inconsistent with this Act, as are considered necessary or expedient

for the carrying out of this Act according to its true intent and meaning and for the better attainment of its object.

IMMIGRANTS—DUTY PAYABLE ON THEM.

Duty on immigrants payable by master of vessel.

11. When so provided by any regulation of the Governor in Council, there shall be raised, levied and collected a duty, payable by the master of every vessel arriving at any port in Canada from any port outside of Canada, with passengers therefrom; such duty shall not exceed two dollars for every passenger above the age of one year landed in Canada.

How payable.

2. The said duty shall be paid by the master of the vessel, or by some person on his behalf, to the immigration agent at the port of entry.

Duty on immigrants landed in United States and coming to Canada by train.

3. A similar duty may be imposed by the Governor in Council in respect of immigrants landed at any port in the United States, and coming into Canada by train within three months after landing in the United States, in which case the duty shall be paid by the railway company bringing them into Canada.

Duty on immigrants arriving in Canada and destined for United States.

4. A similar duty may be imposed in the same manner in the case of immigrants arriving at Canadian ports destined for the United States, the tax to be refunded on their leaving Canada, provided they do so within one month after landing. The tax in all such cases shall be paid to the immigration agent at the port of landing by the master of the vessel bringing the immigrants, or by some person on his behalf.

ENFORCEMENT OF CONTRACTS.

Contracts to repay money advanced enforceable against immigrants.

12. If any contract is made or any bond or note given by an emigrant, before leaving any place outside of Canada for Canada, to repay in Canada any sum of money advanced to him for or towards defraying his passage money, or towards defraying any other expense attending his emigration, such sum shall be recoverable from the immigrant in Canada, according to the terms of such instrument, by suit in any court of competent jurisdiction in Canada.

IMMIGRANTS—PROPORTION OF PASSENGERS TO SIZE OF VESSEL.

Proportion of passengers—

13. No vessel from any port or place outside of Canada shall come within the limits of Canada having on board, or having had at any time during her voyage,—

To area of lower deck;

(*a*) any greater number of passengers than one adult passenger for every twelve clear superficial feet on the lower or platform deck of such vessel, appropriated to the use of such passengers and unoccupied by stores or other goods not being the personal luggage of such passengers, or—

To tonnage.

(*b*) a greater number of persons, including the master and crew and the cabin passengers, if any, than one for every two tons of the tonnage of such vessel, calculated in the manner used for ascertaining the tonnage of British ships.

"Adult" defined.

2. For the purposes of this section, each person of or above the age of fourteen years shall be deemed an adult, and two

persons above the age of one year and under the age of fourteen years shall be reckoned and taken as one adult.

IMMIGRANTS—OBLIGATIONS OF MASTERS OF VESSELS BRINGING THEM.

Reports of passengers to be delivered to agent.

14. The master of any vessel arriving at any port of entry in Canada shall deliver a certified and correct report, in the form prescribed by the regulations in that behalf, to the immigration agent at the port. The master of any vessel shall not permit any passenger to leave the vessel until written permission from the immigration agent to allow his passengers to land has been given to such master.

Passengers not to leave vessel before permission obtained.

Penalty for carrying passengers not entered on list.

15. The master of any vessel sailing from a port outside of Canada who embarks passengers after the vessel has been cleared and examined by the proper officer at the port of departure and who does not deliver reports of such additional passengers to the immigration agent at the port of entry shall, in addition to the duty, if any, payable as aforesaid, pay to such immigration agent for every passenger so embarked and not included in the list of passengers delivered to such proper officer at the port of departure, or to the proper officer at the port at which such passenger was embarked, or to the proper officer at the port at which such vessel first touched after the embarkation of such passenger, the sum of one hundred dollars for each passenger so embarked as aforesaid and not included in one of the said lists.

Passenger may leave vessel before arrival at port of destination.

Proceedings in such case.

16. Nothing in this Act shall prevent the master of any vessel from permitting any passenger to leave the vessel outside of Canada at the request of such passenger before the arrival of the vessel at her final port of destination; but in every such case, the name of the passenger so leaving shall be entered in the manifest on the list of passengers made out at the time of the clearing of the vessel from the port of departure or at the port at which such passenger was embarked, and shall be certified under the signature of the passenger so leaving the vessel.

Particulars to be entered in report.

17. In addition to the particulars hereinbefore required in the report to be delivered on each voyage by the master of any vessel arriving at any port of entry in Canada to the immigration agent at such port, the master shall report in writing to such agent the name and age of all passengers embarked on board of such vessel on such voyage who are lunatic, idiotic, epileptic, deaf and dumb, blind or infirm, or suffering from any disease or injury known to exist by the medical officer of the ship, stating also whether they are accompanied by relatives able to support them or not.

Entry as to passengers who have died.

18. The report shall further contain the name, age and last place of residence of any person who has died during the voyage, and shall specify whether such passenger was accompanied by relatives or other persons who were entitled to take charge of the moneys and effects left by such passenger.

Disposal of property.

2. If there were no such relatives or other persons so entitled, the report shall fully designate the quantity and description of

the property, whether money or otherwise, left by such passenger; and the master of the vessel shall pay over and fully account, to the immigration agent at the port at which the vessel is entered, for all moneys and effects belonging to any person who has died on the voyage.

Immigration agent to give receipt.

3. The immigration agent shall thereupon grant to the master a receipt for all moneys or effects so placed in his hands by the master, which receipt shall contain a full description of the nature or amount thereof.

PERMISSION TO LEAVE THE VESSEL.

When passengers may leave vessel.

19. The immigration agent at a port of entry, after satisfying himself that the requirements of this Act and of any roder in council, proclamation or regulation made thereunder have been carried out, shall grant permission to the master of the vessel to allow the passengers to leave the vessel.

Master to furnish bill of health.

20. The master shall furnish the immigration agent, or the medical officer, at the port of entry with a bill of health, certified by the medical officer of the vessel, such bill of health being in the form and containing such information as is required from time to time under this Act.

Inspection of vessel by medical officer.

21. The immigration agent, whenever he deems proper, may request the medical officer before any passengers leave the vessel to go on board and inspect such vessel, and examine and take extracts from the list of passengers or manifest, and from the bill of health.

Immigrants must possess prescribed amount of money.

22. The regulations to be made by the Governor in Council may provide as a condition to permission to enter Canada that immigrants shall possess money to a prescribed minimum amount, which amount may vary according to the class and destination of such immigrant, and otherwise according to the circumstances.

Entry on manifest of money possessed by immigrant.

2. The owner or master of any vessel bringing passengers into Canada shall enter on her manifest, opposite the name of any immigrant to whom such regulations apply, the amount of money possessed by him, such amount being not less than the amount prescribed, and on arrival in Canada such immigrant shall be required, on the demand of the immigration agent at the port of entry, to produce the amonut entered on the manifest, or the minimum amount prescribed by the regulations, and in default the owner of the vessel shall, before such person is permitted to land, pay the amount of the deficit to the immigration agent, to be applied for the transportation, living expenses, or other necessary expenses of such passenger, if admitted to Canada.

In default of money, master to supply deficiency.

Deportation of immigrant or his detention at cost of master in certain cases.

3. In case the owner or master of the vessel fails to make such payment upon demand, the immigration agent shall require the deportation of such immigrant, or his detention at the cost of the owner of the vessel, either on board the vessel or at such place on shore as is designated by the immigration agent, until the amount demanded is produced by the immigrant or paid over by such owner or master.

MEDICAL INSPECTION.

Hours of medical inspection.

23. The medical inspection of passengers shall be performed at the hours named in the regulations made by the Minister.

Facilities for examination.

24. The immigration agent shall provide suitable facilities for the examination of immigrants at each port of entry, subject to any regulations made by the Minister.

Ticket to be stamped after inspection.

25. The medical officer shall, after inspection, stamp the ship ticket or railway ticket or passport of each passenger who has passed the medical inspection, and the immigration agent shall detain any passenger who has been inspected and not admitted, as required by this Act, or by any Order in Council, proclamation or regulation made thereunder.

Immigration agent responsible for person detained.

26. The immigration agent shall be responsible for the safekeeping of any person so detained, except while in an hospital or other place of detention under the charge of a medical officer.

Arrangements for care of detained persons.

27. The medical officer may, from time to time, with the consent and approval of the Minister, make such arrangements as he considers necessary for the care and supervision of immigrants while under medical supervision who are detained on board a vessel or, having been permitted to leave the vessel, are detained either for medical treatment or are awaiting deportation

IMMIGRANTS PROHIBITED FROM LANDING.

Prohibited immigrants; insane and epileptic.

28. No immigrant shall be landed in Canada, who is feeble minded, an idiot, or an epileptic, or who is insane, or has had two or more attacks of insanity within five years; nor shall any immigrant be so landed who is deaf and dumb, blind or infirm, unless he belongs to a family who accompany him or are already in Canada and who give security, satisfactory to the Minister, and in conformity with the regulations in that behalf, if any, for his permanent support if admitted into Canada.

Diseased persons.

29. No immigrant shall be landed in Canada who is afflicted with a loathsome disease or with a disease which is contagious or infectious and which may become dangerous to the public health or widely disseminated, whether such immigrant intends to settle in Canada or only to pass through Canada to settle in some other country; but if such disease is one which is curable within a reasonably short time the immigrant suffering therefrom may, subject to the regulations in that behalf, if any, be permitted to remain on board, or to leave the vessel for medical treatment, under such regulations as may be made by the Minister.

Proviso.

Paupers and beggars.

30. No immigrant shall be landed in Canada who is a pauper, or destitute, a professional beggar, or vagrant, or who is likely to become a public charge; and any person landed in Canada who, within one year thereafter, has become a charge upon the public funds, whether municipal, provincial, or federal, or an inmate of or a charge upon any charitable institution, may be

deported and returned to the port or place whence such immigrant came or sailed for Canada.

Criminals and prostitutes.

31. No immigrant shall be landed in Canada who has been convicted of a crime involving moral turpitude, or who is a prostitute, or who procures, or brings or attempts to bring into Canada prostitutes or women for purposes of prostitution.

Absolute prohibition of any class of immigrants.

32. The Governor in Council may, by proclamation or order, whenever he considers it necessary or expedient, prohibit the landing in Canada of any specified class of immigrants.

Boards of inquiry on immigrants seeking admission to Canada.

33. Acting under the authority of the Minister, the immigration agent, the medical officer, and any other officer or officers named by the Minister for such purpose, may act as a board of inquiry at any port of entry to consider the case of any immigrant seeking admission to Canada. The decision of such board touching the right of any such immigrant to land in Canada shall be subject to appeal to the superintendent of immigration, whose action shall be subject to review by the Minister.

Appeal to Superintendent of Immigration.

Procedure.

2. The Governor in Council may make regulations governing the procedure in connection with inquiries by such boards of inquiry and appeals from their decisions.

Act to apply to all companies bringing immigrants into Canada.

34. All railway or transportation companies or other persons bringing immigrants from any foreign country into Canada shall be subject, *mutatis mutandis*, to all the provisions of this Act, and of any Order in Council, proclamation or regulation made thereunder with respect to immigrants brought to Canada by vessel, in like manner and to the same extent as are the owners of such vessel.

Deportation of immigrants within one year of arrival in certain cases.

35. Whenever in Canada an immigrant has, within one year of his landing in Canada, committed a crime involving moral turpitude, or become incapacitated through sickness or accident to earn a livelihood, or become an inmate of a jail or a hospital or other charitable institution, it shall be the duty of the clerk or secretary of the municipality forthwith to notify the Minister thereof, giving full particulars. On receipt of such information, the Minister may, on investigating the facts, order the deportation of such immigrant at the cost and charges of such immigrant, if he is able to pay, and if not, then at the cost of the municipality wherein he has last been regularly resident, if so ordered by the Minister, and if he be a vagrant or tramp, or there be no such municipality, then at the cost of the Department of the Interior. Every such immigrant shall be carried to the port from which he came to Canada at the cost of the owner of the vessel which brought him to Canada. In case he was brought into Canada by a railway company, such company shall similarly convey him or procure his conveyance from the municipality or locality whence he is to be deported to the country whence he was brought.

PROTECTION OF PASSENGERS.

Passengers may remain

36. Every passenger on any vessel arriving at a port of entry to which the owner or master of such vessel engaged to

on board 24 hours after arrival.

convey him shall be entitled to remain and keep his luggage on board the vessel twenty-four hours after such arrival, and the master of such vessel shall not, before the expiry of the said twenty-four hours, remove any berths or accommodation used by such passengers.

Passengers and luggage to be landed free.

37. The master of any vessel having passengers on board shall land his passengers and their luggage free of expense to the said passengers at any of the usual public landing places at the port of arrival, according to orders which he receives from the immigration agent at the said port, and at reasonable hours as fixed by the immigration agent in accordance with the regulations in that behalf, if any; and the vessel shall, for the purpose of landing passengers and luggage, be anchored in such convenient and safe place, or moored at such wharf as is appointed for that purpose by the immigration agent.

Landing place.

38. The Minister or the superintendent of immigration may, from time to time, by instructions to the immigration agent at any port of entry appoint the place at which all passengers arriving at such port shall be landed.

Shelter and accommodation to be provided.

39. At the place so appointed the Minister may cause proper shelter and accommodation to be provided for the immigrants until they can be forwarded to their place of destination.

Immigrants not to be solicited except by licensed persons.

40. No person shall, at any port or place in Canada, for hire, reward or gain, or the expectation thereof, conduct, solicit or recommend, either orally or by handbill or placard or in any other manner, any immigrant, to or on behalf of any owner of a vessel, or to or on behalf of any lodging-house keeper or tavern keeper or any other person, for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada, or in the United States, or in other territories outside of Canada, or give or pretend to give to such immigrant any information, oral, printed or otherwise, or assist him to his said place of destination, or in any way exercise the vocation of booking passengers, or of taking money for their inland fare, or for the transportation of their luggage,unless such person has first obtained a license from the superintendent of immigration authorizing him to act in such capacity.

Runners not to board vessels before passengers are landed.

41. No person, whether a licensed immigrant runner, or agent or person acting on behalf of any steamboat company, railway company, forwarding company, or hotel or boarding-house keeper or his agent, shall go on board any vessel bringing immigrants into Canada after such vessel has arrived in Canadian waters, or into an immigration building or on to any wharf where immigrants are landed, or shall book or solicit any immigrant by such vessel, before the immigrants are landed from such vessel, unless he is authorized so to do by the immigration agent at the port of entry where such vessel is to land its passengers.

Lists of hotel and boarding-

42. Every keeper of a tavern, hotel or boarding house in any city, town, village or place in Canada designated by any

order in council who receives into his house as a boarder or lodger any immigrant within three months from his arrival in Canada, shall cause to be kept conspicuously posted in the public rooms and passages of his house and printed upon his business cards, a list of the prices which will be charged to immigrants per day and week for board or lodging, or both, and also the prices for separate meals, which cards shall also contain the name of the keeper of such house together with the name of the street in which it is situate, and its number in such street. No such boarding-house keeper, hotel keeper or tavern keeper shall have any lien on the effects of such immigrant for any amount claimed for such board or lodging for any sum exceeding five dollars.

House prices to be displayed.

Lien on immigrants' goods limited.

43. If complaint be made to the Minister or the superintendent of immigration against any railway company or other incorporated company of any offence or violation of this Act, or of any law of the United Kingdom or of any other country, in any matter relating to immigrants or immigration, the Minister may cause such inquiry as he thinks proper to be made into the facts of the case, or may bring the matter before the Governor in Council in order that such inquiry may be made under the Act respecting inquiries concerning public matters.

Inquiry in case of complaint against any company as to violation of Act.

2. If upon such inquiry, it appears to the satisfaction of the Minister that the company has been guilty of such violation, the Minister may require the company to make such compensation to the person aggrieved, or to do such other thing, as is just and reasonable, or may adopt measures for causing such proceedings to be instituted against the company as the case requires.

Penalty.

44. If both the immigrant parents, or the last surviving immigrant parent of any child or children brought with them in any vessel bound for Canada, die on the voyage, or at any quarantine station or elsewhere in Canada while still under the care of an immigration agent or other officer under this Act, the Minister, or such officer as he deputes for the purpose, may cause the effects of such parents or parent to be disposed of for the benefit of such child or children to the best advantage in his power, or in his discretion to be delivered over to any institution or person assuming the care and charge of such child or children.

Property of immigrant parents dying.

45. No officer, seaman or other person on board of any vessel bringing immigrants to Canada shall, while such vessel is in Canadian waters, entice or admit any female immigrant passenger into his apartment, or, except by the direction or permission of the master of such vessel first made or given for such purpose, visit or frequent any part of such vessel assigned to female immigrant passengers.

Intercourse between crew and female immigrants prohibited.

46. The master of every vessel bringing immigrant passengers to Canada shall, at all times while the vessel is in Canadian waters, post a written or printed notice in the language of the several classes or nationalities carried as passengers, containing the provisions of this Act regarding the prevention of intercourse between the crew and the immigrant passengers and the penalties

Notice of foregoing provision to be posted up.

for the contravention thereof, in a conspicuous place on the forecastle and in the several parts of the said vessel assigned to immigrant passengers, and keep the same so posted during the remainder of the voyage.

Inspection of vessel for evidence of contravention.

2. The immigration agent at the port of entry shall inspect every such vessel upon arrival for evidence of compliance with this section, and shall institute proceedings for any penalty incurred thereunder.

PENALTIES.

Penalty for violation of agreements by immigrants.

47. If any immigrant, before leaving any place outside of Canada for Canada, receives any sum of money advanced to him for or towards defraying the cost of his passage or towards defraying any other expense attending his immigration, and engages and binds himself, in consideration of such advance, to enter the service of any employer in Canada in any capacity on his arrival there, and to work and serve such employer in such capacity during any certain time, not exceeding six months, at any named rate of wages, such immigrant shall, if he refuses or neglects on his arrival in Canada to perform such engagement, be liable on summary conviction to a penalty not exceeding twenty dollars, and to imprisonment until such penalty and costs be paid.

For vessels carrying passengers above number authorized.

48. If any vessel from any port or place outside of Canada comes within the limits of Canada having on board or having had on board at any time during her voyage—

(*a*) any greater number of passengers than one adult passenger for every twelve clear superficial feet on the lower or platform deck of such vessel appropriated to the use of such passengers and unoccupied by stores or other goods not being the personal luggage of such passengers; or

(*b*) a greater number of persons, including the master and crew and the cabin passengers, if any, than one for every two tons of the tonnage of such vessel, calculated in the manner used for ascertaining tonnage of British ships, the master of such vessel shall incur a penalty not exceeding twenty dollars and not less than eight dollars for each passenger or person constituting such excess.

For masters not making report.

49. If the master of any vessel does not, forthwith after such vessel arrives at any port of entry in Canada, and before any entry of such vessel is allowed, deliver to the immigration agent at the port at which such vessel is to be entered a correct report, in the form prescribed by the regulations in that behalf, of all the passengers on board such vessel at the time of her departure from the port or place whence she last cleared or sailed for Canada, and a true statement of the other particulars mentioned in the said form, he shall incur a penalty of—

(*a*) twenty dollars for each day during which he neglects so to deliver such list, and

(*b*) eight dollars for each passenger whose name is omitted in such report.

50. If the master of any vessel arriving at any port of entry in Canada permits any passenger to leave the vessel until— For masters permitting landing of passengers before report certified.

(*a*) he has delivered to the immigration agent at such port a certified and correct report in the form prescribed by the regulations in that behalf, or until—

(*b*) such report has been certified to be correct, and a certificate of such correctness, and a receipt from the immigration agent for the duties, if any, payable by the master under the provisions of this Act, as well as a permission from the immigration agent to allow his passengers to land, have been given to such master, he shall incur a penalty not exceeding one hundred dollars and not less than twenty dollars for every passenger so leaving the vessel.

51. Every pilot who has had charge of any vessel having passengers on board, and knows that any passenger has been permitted to leave the vessel contrary to the provisions of this Act, and who does not immediately upon the arrival of such vessel in the port to which he engaged to pilot her, and before the immigration agent has given permission to the passengers to leave the vessel, inform the said agent that such passenger or passengers has or have been so permitted to leave the vessel, shall incur a penalty not exceeding one hundred dollars for every passenger with regard to whom he has wilfully neglected to give such information. For pilots neglecting to inform agent of violation of Act.

52. If the master of any vessel arriving at any port of entry in Canada omits to report in writing to the immigration agent at such port, in the report required by this Act to be delivered by him on each voyage, the name and age of each passenger embarked on board of such vessel on such voyage who is lunatic, idiotic, deaf and dumb, blind or infirm, stating also as to each such passenger whether he is accompanied by relatives, able to support him or not, or makes any false report in any of such particulars he shall incur a penalty not exceeding one hundred dollars, and not less than twenty dollars for every such passenger in regard to whom any such omission occurs or any such false report is made. For master neglecting to deliver report to immigration agent.

2. The owner of the vessel shall in such case also be liable for the aforesaid penalty, and, if there be more owners than one, such owners shall be so liable jointly and severally. Liability of owner.

53. If the master of any vessel arriving at any port in Canada refuses or neglects— Penalty for master neglecting to report as to passengers dying.

(*a*) to mention in the report, in the form set forth in the schedule to this Act, the name, age and last place of residence of any passenger who has died during the passage of the vessel, and to specify whether such passenger was accompanied by relatives or other persons, if any, who would be entitled to take charge of the moneys and effects left by such passenger; or

(*b*) if there be no such relatives, or other persons entitled to take charge of such moneys and effects, to fully designate in the said report the quantity and description of the property, whether money or otherwise, left by such passenger, and to pay over and fully account therefor to the immigration agent for the port at As to property left by dead passengers.

which the vessel is entered, he shall incur a penalty not exceeding one thousand dollars and not less than twenty dollars.

For master compelling passengers to leave vessel before 24 hours from arrival.

54. If the master of any vessel arriving at any port of entry in Canada compels any passenger to leave his vessel before the expiration of the period of twenty-four hours after the arrival of the vessel in the port or harbour to which the master or owner of such vessel engaged to convey such passenger, he shall incur a penalty not exceeding twenty dollars for each such passenger whom he so compels to leave the vessel.

Removing berth, etc.

2. If such master, before the expiration of the said period, removes any berth or accommodation used by any passenger, except with the written permission of the immigration agent at the port of entry, he shall for each such removal incur a like penalty of twenty dollars.

For master refusing to land passengers free.

55. If the master of any vessel arriving at any port of entry fails or refuses to land the passengers and their luggage, free of expense to the passengers, at any of the usual public landing places at such port of arrival, and according to the orders which he received from the immigration agent at such port, and at reasonable hours, as fixed by such agent and the medical officer at the port in accordance with the regulations in that behalf, if any, he shall incur a penalty of forty dollars for each offence.

For master anchoring vessels in places other than place appointed.

56. If the master of any vessel arriving at any port of entry, or the owner of the vessel, or any other person, causes such vessel, for the purpose of discharging passengers and luggage, to anchor at any place other than such convenient and safe place as is appointed for that purpose, by the immigration agent as aforesaid, or to be moored at any wharf other than such wharf as is so appointed, he shall incur a penalty of not more than four hundred dollars and not less than fifty dollars.

For master refusing or neglecting to properly land passengers.

57. If the master of any vessel arriving at any port of entry in Canada and having on board such vessel any passengers to whom any such instructions apply refuses or neglects to land such passengers and their luggage, free of expense, and by steam tug or other proper tender, if necessary, at the place so appointed, and at reasonable hours, fixed as aforesaid, he shall incur a penalty of forty dollars for each such passenger.

For any contravention of instructions regarding landing and sheltering of immigrants.

58. If any person contravenes any instructions of the Minister under the authority of this Act, appointing the place at which passengers arriving at any port of entry in Canada shall be landed, or for the protection of the Government of the place so appointed, or the protection of immigrants landed thereat, or providing for proper shelter and accommodation for immigrants at such place until they can be forwarded to their place of destination, he shall incur a penalty of not less than forty dollars and not more than five hundred dollars.

For master neglecting to moor vessel at appointed place.

59. If the master of any such vessel does not, for the purpose of landing such passengers and their luggage, cause the vessel either to be moored at the wharf appointed for such landing, or to be anchored at the proper place in the port, he shall incur a

penalty of not less than forty dollars and not more than five hundred dollars.

IMMIGRANT RUNNERS, ETC.

For soliciting, etc., immigrants by other than licensed persons.

60. Every person who, at any port or place within Canada, for hire, reward or gain, or the expectation thereof,—

(*a*) conducts, solicits, or recommends, either orally or by handbill or placard, or in any other manner, any immigrant to or on behalf of,—

(i) any owner of a vessel, or

(ii) any railway company, or

(iii) any lodging-house keeper or tavern keeper, or

(iv) any other person,

for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada or in the United States or to other territories outside of Canada, or

(*b*) gives or pretends to give to such immigrant any information, printed or otherwise, or assists him to his said place of destination, or in any way exercises the vocation of booking passengers or of taking money for their inland fare, or for the transportation of their luggage, shall, unless such person has first obtained a license from the superintendent of immigration authorizing him to act in such capacity, incur a penalty of not more than fifty dollars for each offence.

For runners boarding vessels before passengers landed without permit of agent.

61. Every licensed immigrant runner or agent, or person acting on behalf of any owner of a vessel, railway company, forwarding company or any hotel or boarding-house keeper, or his agent, who goes on board any vessel bringing immigrants into Canada, or books or solicits any immigrant passenger by such vessel, before the immigrants are landed therefrom, unless he is authorized by the immigrant agent at the port of entry where such vessel is to land its passengers so to do, shall incur a penalty of twenty-five dollars for each offence.

For selling tickets to immigrants at higher rate than purchaseable from company undertaking conveyance.

62. Every person licensed under this Act as an immigrant-runner or agent, or person acting on behalf of any owner of a vessel, railway company, forwarding company or hotel or boarding-house keeper, and every person in his employ who sells to any immigrant a ticket or order for the passage of such immigrant or for the conveyance of his luggage at a higher rate than that for which it could be purchased directly from the company undertaking such conveyance, and every person who purchases any such ticket from an immigrant for less than its value, or gives in exchange for it one of less value, shall incur a penalty of twenty dollars for each such offence, and the license of such person shall be forfeited.

For hotel-keepers neglecting to post up list of prices;

63. Every keeper of a tavern, hotel or boarding-house in any city, town, village or other place in Canada who—

(*a*) neglects or refuses to post a list of prices or to keep business cards on which is printed a list of the prices which will be charged to immigrants per day or week for board or lodging, or both, and the prices for separate meals, and also the name of the keeper of

such house, together with the name of the street in which the house is situated and its number in such street, or—

or charging and receiving sums higher than fixed prices;

(*b*) charges or receives, or permits or suffers to be charged or received for boarding or lodging, or for meals in his house, any sum in excess of the prices so posted and printed on such business cards, or—

or omitting to deliver price cards.

(*c*) omits immediately on any immigrant entering such house as a boarder or lodger for the purpose of taking any meal therein, to deliver to such immigrant one of such printed business cards, shall incur a penalty not exceeding twenty dollars and not less than five dollars.

For detaining effects after tender of $5.

64. Every such boarding-house keeper, hotel keeper or tavern keeper, who detains the effects of any immigrant by reason of any claim for board or lodging after he has been tendered the sum of five dollars or such less sum as is actually due for the board or lodging of such immigrant, shall incur a penalty not exceeding twenty-five dollars and not less than five dollars, over and above the value of the effects so detained, and he shall also be liable to restore such effects.

Recovery of goods detained.

2. In the event of any such unlawful detention, the effects so detained may be searched for and recovered under search warrant as in case of stolen goods.

For intercourse between crew and female immigrants.

65. Every officer, seaman or other person employed on board of any vessel bringing immigrant passengers to Canada who, while such vessel is in Canadian waters, entices or admits any female immigrant passenger, not being a cabin passenger, into his apartment, or except by the direction or permission of the master of such vessel first given visits or frequents any part of such vessel assigned to female immigrant passengers, not being cabin passengers, shall incur a penalty equal in amount to his wages for the voyage during which the said offence was committed.

For permitting employees on vessel to visit portion assigned to female immigrants.

66. Every master of any such vessel who, while any such vessel is in such waters as aforesaid, directs or permits any officer or seaman or other person employed on board of such vessel to visit or frequent any part of such vessel assigned to immigrant passengers, except for the purpose of doing or performing some necessary act or duty as an officer, seaman or person employed on board of such vessel, shall incur a penalty of twenty-five dollars for each occasion on which he so directs or permits the provisions of this section to be violated by any officer, seaman or other person employed on board of such vessel: This section shall not apply to cabin passengers, or to any part of the vessel assigned to their use.

For neglecting to post up notice of provisions concerning female immigrants.

67. Every master of a vessel bringing immigrants to Canada who neglects to post and keep posted the notice required by this Act to be posted regarding the prevention of intercourse between the crew and the immigrant passengers and the penalties for contravention thereof as required by this Act shall be liable to a penalty not exceeding two hundred dollars for each such offence.

68. If, during the voyage of any vessel carrying passengers from any port outside of Canada, the master or any of the crew is guilty of any violation of any of the laws in force in the country in which such foreign port is situate, regarding the duties of such master or crew towards the passengers in such vessel; or if the master of any such vessel during such voyage commits any breach whatsoever of the contract for the passage made with any passenger by such master, or by the owner of such vessel, such master or such one of the crew shall, for every such violation or breach of contract, be liable to a penalty not exceeding one hundred dollars and not less than twenty dollars, independently of any remedy which such passenger complaining may otherwise have.

For violation of laws in foreign port and breach of contract with passengers by master.

69. Every person who violates any provision of this Act, or of any Order in Council, proclamation or regulation in respect of which violation no other penalty is provided by this Act, shall incur a penalty not exceeding two hundred dollars.

For contraventions not otherwise provided for.

RECOVERY OF DUTIES AND PENALTIES.

70. Every duty or penalty imposed under the authority of this Act upon the owner, charterer or master of any vessel shall be a lien upon any vessel of the company or owner or charterer in respect whereof it has become payable, and may be enforced and collected by the seizure and sale of the vessel, her tackle, apparel and furniture, under the warrant or process of the magistrate or court before whom it has been sued for, and shall be preferred to all other liens or hypothecations except mariners' wages.

Duties and penalties to be lien on vessel.

2. Every penalty imposed under the authority of this Act upon a railway company shall be a lien or charge upon the railway, property, assets, rents and revenues of such company.

Penalty imposed on railway company to be lien on railway.

PROCEDURE.

71. Every prosecution for a penalty under this Act may be instituted at the place where the offender then is, before any justice of the peace having jurisdiction in such place, and may be recovered, upon summary conviction, at the suit of any immigration agent, and the penalties recovered shall be paid into the hands of the Minister of Finance and Receiver General and shall form part of the Consolidated Revenue Fund of Canada. The justice of the peace may award costs against the offender as in ordinary cases of summary proceedings, and may, in the case of an owner, charterer or master of a vessel, also award imprisonment for a term not exceeding three months, to terminate on payment of the penalty incurred, and may, in his discretion, award any part of the penalty, when recovered, to the person aggrieved by or through the act or neglect of such offender.

Where prosecution may be brought.

Costs.

72. If it appears to the justice, by the admission of such person or otherwise, that no sufficient distress can be had whereon to levy the moneys so adjudged to be paid he may, if he thinks fit, refrain from issuing a warrant of distress in the case, or, if such

Proceedings when there is no sufficient distress.

warrant has been issued, and upon the return thereof such insufficiency as aforesaid is made to appear to the justice, then such justice shall, by warrant, cause the person ordered to pay such money and costs as aforesaid to be committed to gaol, there to remain without bail for any term not exceeding three months unless such moneys and costs ordered to be paid, and such costs of distress and sale as aforesaid, are sooner paid and satisfied; but such imprisonment of a master of any vessel shall not discharge the vessel from the lien or liability attached thereto by the provisions of this Act.

Conviction or proceeding not to be quashed for want of form.

73. No conviction or proceeding under this Act shall be quashed for want of form, or be removed by appeal or certiorari, or otherwise, into any superior court and no warrant or commitment shall be held void by reason of any defect therein, provided it is therein alleged that the person has been convicted, and there is a good and valid conviction to sustain the same.

Payment of expenses under Act.

74. All expenses incurred in carrying out the provisions of this Act and of affording help and advice to immigrants and aiding, visiting and relieving destitute immigrants, procuring medical assistance and otherwise attending to the objects of immigration, shall be paid out of any moneys granted by Parliament for any such purpose and under such regulations or under such orders in council, if any, as are made for the distribution and application of such moneys.

Penalty for master permitting prohibited immigrant to land, and refusing to take on board when required.

75. Every owner or master of a vessel who lands or permits to land therefrom in Canada any immigrant or other passenger, the landing of whom is prohibited by this Act, or by any order in council, proclamation or regulation made thereunder, whether such immigrant or passenger intends to settle in Canada or only intends to pass through Canada to settle in some other country, or who refuses or neglects, when thereunto lawfully required, to take on board his vessel any immigrant or passenger who has been so landed, shall incur a penalty not exceeding one thousand dollars and not less than one hundred dollars, in the case of each such immigrant or passenger.

Apprehension of prohibited persons who shall be returned to vessel or country whence they came.

76. Any person landed in Canada from a vessel, or brought into Canada by a railway company, in contravention of this Act, or of any order in council or proclamation lawfully issued thereunder, or any person landed for medical treatment who remains in Canada in contravention of such order or proclamation, may be apprehended, without a warrant, by any immigration agent or other Government officer, and may, by force if necessary, be compelled to return to or be taken on board the vessel, and, in the case of a railway company, be returned to the country whence he came; and every owner or master of a vessel and every railway company or other person who violates the provisions of this section, or who aids or abets any immigrant or passenger in acting in contravention of such order or proclamation, or who refuses or neglects to take any such immigrant or passenger on board such vessel or the cars of such railway company, shall incur a penalty not exceeding one thousand

dollars and not less than one hundred dollars in the case of each such immigrant or passenger.

Penalty for contravention by railway companies.

2. Every railway company which receives or transports any such immigrant or other passenger, or which refuses or neglects, when thereunto lawfully required, to take on board its cars any such immigrant or passenger, shall be liable to a penalty not exceeding one thousand dollars and not less than one hundred dollars in the case of each such immigrant or passenger.

Apprehension and deportation of immigrants liable to exclusion.

77. Any person found in Canada who has come into Canada within a period of one year from any other country by any means or mode of conveyance and who would be liable to exclusion or deportation under any of the provisions of this Act relating to immigrants or passengers arriving by ship or railway train may be apprehended and compelled to return to the country whence he came.

Deportation of head of family entails deportation of family.

78. In any case where deportation of the father or head of a family is ordered, all dependent members of the family shall be deported at the same time.

Acts repealed.

79. The following Acts are repealed: chapter 65 of the Revised Statutes, the Immigration Act; chapter 34 of the statutes of 1887; and chapter 14 of the statutes of 1902.

SCHEDULE.

NAMES AND DESCRIPTION OF PASSENGERS.

No. of Passengers.	Number of Ocean SS. Ticket.	Amount of Cash. (To be filled in by Immigration Agent at port of landing.)	Name of Passenger.	Age of Adults.		Children under 14 Years of Age.		Able to		Married or Single.	Profession, occupation or calling of Passengers.	Nation or Country of Birth.	Births at Sea.	Deaths at Sea.	Place of ultimate destination of Passengers excepting "Tourists and returned Canadians" who are to be so described.
				Male.	Female.	Male.	Female.	Read.	Write.						

PARTICULARS RELATIVE TO THE VESSEL.

Port of Embarkation. — Date of Sailing.	Vessel's name.	Master's name.	Tonnage.	From what port or place.	Total number of superficial feet in the several compartments set apart for Passengers other than Cabin Passengers.	Total number of Adult Passengers exclusive of Master, Crew, and Cabin Passengers, which the vessel may legally carry.	Where bound.

SUMMARY.

—	Number of Souls.	Number of Adults to which they are equal under the Immigration Act.
Adults		
Children under 14 years of age...		
Total.....		

I hereby certify that the above is a correct description of the [*Description of the Vessel as Ship, Brig, etc.*] [*Name of Vessel*] and a correct list of all the passengers on board the same, at the time of her departure from [*Place whence she came*] and that all particulars therein mentioned are true.

Date, 19 . [*Signature of Master.*]

No. ..

2nd Session, 10th Parliament, 6 Edward VI

BILL.

An Act respecting Immigration Immigrants.

First reading, May 21, 1906.

MR. OL

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Ma
1906

170.] **BILL.** [1906.

An Act respecting Immigration and Immigrants.

[*Reprinted as amended in Committee of the Whole.*]

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

SHORT TITLE.

1. This Act may be cited as the Immigration Act. Short title.

INTERPRETATION.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) The expression "immigrant" means and includes any steerage passenger or any "work-a-way" on any vessel whether or not entered as a member of the crew after the vessel has sailed from its first or last port of departure, and any saloon or second class passenger or person who having been a member of the crew has ceased to be such and upon inspection is found to come within any class liable to exclusion from Canada: Provided that no person who is a Canadian by birth or has been naturalized as a British subject in Canada shall be held to be an immigrant within the meaning of this Act ; "Immigrant."

(*b*) The expression "immigration agent" includes the superintendent of immigration, commissioners of immigration and any sub-agents within or outside of Canada; "Immigration agent."

(*c*) The expression "land" or "landing," as applied to passengers or immigrants, means their admission (after having complied with the requirements of the Immigration Act), into Canada, otherwise than for inspection or treatment, or other temporary purpose provided for by this Act, or by any order in council, or proclamation, or regulation made thereunder; "Land," "landing."

(*d*) The expression "master" means any person in command of a vessel; "Master."

(*e*) The expression "medical officer" includes "medical superintendent," "medical inspector" and "inspecting physician;" "Medical officer."

(*f*) The expression "Minister" means the Minister of the Interior; "Minister."

(*g*) The expression "owner," as applied to a ship or vessel, includes the charterer of such ship or vessel and the agent of the owner thereof; "Owner."

(*h*) The expression "passenger" includes any person carried upon a railway train or other vehicle or in a vessel, other than the master and crew, as well as all immigrants coming into "Passenger."

Canada, but not troops or military pensioners and their families, who are carried in transports or at the expense of the Government of the United Kingdom, or of any colony thereof: Provided that any person who is unlawfully on board the vessel shall not be held to be a passenger;

"Port of entry."

(*i*) The expression "port of entry" means any port, railway station, or place at which immigrants enter Canada, or at which there is an immigration agent, or where the medical inspection of immigrants is carried on;

'Ship,' 'vessel.'

(*j*) The expression "ship" or "vessel" includes all ships, vessels, boats, or craft of any kind carrying passengers.

Who shall be deemed immigration agent.

3. Every person recognized by the Minister as an immigration agent shall, with reference to any act done or to be done under this Act, and without formal appointment, be deemed to be an immigration agent for the purposes of this Act.

IMMIGRATION OFFICES.

Where immigration offices shall be maintained.

4. The Governor in Council may establish and maintain immigration offices at such places within and outside of Canada as from time to time seems proper.

APPOINTMENT, POWERS AND DUTIES OF OFFICERS.

Immigration officers who may be appointed.

5. The Governor in Council may appoint a superintendent of immigration, commissioners of immigration, immigration agents, medical officers and such other officers as the Governor in Council determines.

Subordinate officers appointed by Minister.

6. Subject to any regulations in that behalf, the Minister may appoint or employ, either permanently or temporarily, any necessary subordinate officers not provided for in the next preceding section or in any order in council made thereunder, including police guards, inspectors, matrons and nurses to assist immigration agents and medical officers in carrying out the provisions of this Act, and of any orders in council, proclamations or regulations made thereunder, and may confer upon them, and charge them with, such power and duties as he considers necessary or expedient.

Appointment of subordinate officers in cases of emergency.

7. Subject to the provisions of the regulations in that behalf, immigration agents and medical officers may, in emergency, employ such temporary assistance as may be required, but no such employment shall continue for a period of more than forty-eight hours without the sanction of the Minister.

Immigration agents *ex-officio*.

8. When, at any port of entry, there is no immigration agent, the chief customs officer at that port shall be, ex-officio, immigration agent.

Duties of officers.

9. Every officer appointed under this Act shall perform any and all duties prescribed for him by this Act, or by any order in council, proclamation or regulation made thereunder, and shall also perform such duties as are required of him by the Minister, either directly or through any other officer, and no

action taken by any such officer under or for the purpose of this Act shall be deemed to be invalid or unauthorized, merely because it was not taken by the officer specially appointed or detailed for the purpose.

REGULATIONS.

Regulations may be made by Governor in Council.

10. The Governor in Council may, on the recommendation of the Minister, make such orders and regulations, not inconsistent with this Act, as are considered necessary or expedient for the carrying out of this Act according to its true intent and meaning and for the better attainment of its object.

IMMIGRANTS—PROPORTION OF PASSENGERS TO SIZE OF VESSEL.

Proportion of passengers—

11. No vessel from any port or place outside of Canada shall come within the limits of Canada having on board, or having had at any time during her voyage,—

To area of lower deck;

(*a*) any greater number of passengers than one adult passenger for every fifteen clear superficial feet on the lower or platform deck of such vessel, appropriated to the use of such passenger for every fifteen clear superficial feet on each deck of such vessel, appropriated to the use of such passengers and unoccupied by stores or other goods not being the personal luggage of such passengers, or—

To tonnage.

(*b*) a greater number of persons, including the master and crew and the cabin passengers, if any, than one for every two tons of the tonnage of such vessel, calculated in the manner used for ascertaining the tonnage of British ships.

"Adult" defined.

2. For the purposes of this section, each person of or above the age of fourteen years shall be deemed an adult, and two persons above the age of one year and under the age of fourteen years shall be reckoned and taken as one adult.

IMMIGRANTS—OBLIGATIONS OF MASTERS OF VESSELS BRINGING THEM.

Reports of passengers to be delivered to agent.

12. The master of any vessel arriving at any port of entry in Canada shall deliver a certified and correct report, in the form prescribed by the regulations in that behalf, to the immigration agent at the port. The master of any vessel shall not permit any passenger to leave the vessel until written permission from the immigration agent to allow his passengers to land has been given to such master.

Passengers not to leave vessel before permission obtained.

Penalty for carrying passengers not entered on list.

13. The master of any vessel sailing from a port outside of Canada who embarks passengers after the vessel has been cleared and examined by the proper officer at the port of departure and who does not deliver reports of such additional passengers to the immigration agent at the port of entry shall pay to such immigration agent for every passenger so embarked and not included in the list of passengers delivered to such proper officer at the port of departure, or to the proper officer at the port at which such passenger was embarked, or to the proper office at the

port at which such vessel first touched after the embarkation of such passenger, the sum of twenty dollars for each passenger so embarked as aforesaid and not included in one of the said lists.

Passenger may leave vessel before arrival at port of destination.

Proceedings in such case.

14. Nothing in this Act shall prevent the master of any vessel from permitting any passenger to leave the vessel outside of Canada at the request of such passenger before the arrival of the vessel at her final port of destination; but in every such case, the name of the passenger so leaving shall be entered in the manifest on the list of passengers made out at the time of the clearing of the vessel from the port of departure or at the port at which such passenger was embarked, and shall be certified under the signature of the passenger so leaving the vessel.

Particulars to be entered in report.

15. In addition to the particulars hereinbefore required in the report to be delivered on each voyage by the master of any vessel arriving at any port of entry in Canada to the immigration agent at such port, the master shall report in writing to such agent the name and age of all passengers embarked on board of such vessel on such voyage who are lunatic, idiotic, epileptic, deaf and dumb, blind or infirm, or suffering from any disease or injury known to exist by the medical officer of the ship, specifying the nature of the diesase and stating also whether they are accompanied by relatives able to support them or not.

Entry as to passengers who have died.

16. The report shall further contain the name, age and last place of residence of any person who has died during the voyage, and shall specify whether such person was accompanied by relatives or other persons who were entitled to take charge of the moneys and effects left by such person and the disposition made thereof.

Disposal of property.

2. If there were no such relatives or other persons so entitled, the report shall fully designate the quantity and description of the property, whether money or otherwise, left by such person; and the master of the vessel shall pay over and fully account, to the immigration agent at the port at which the vessel is entered, for all moneys and effects belonging to any person who has died on the voyage.

Immigration agent to give receipt.

3. The immigration agent shall thereupon grant to the master a receipt for all moneys or effects so placed in his hands by the master, which receipt shall contain a full description of the nature or amount thereof.

PERMISSION TO LEAVE THE VESSEL.

When passengers may leave vessel.

17. The immigration agent at a port of entry, after satisfying himself that the requirements of this Act and of any order in council, proclamation or regulation made thereunder have been carried out, shall grant permission to the master of the vessel to allow the passengers to leave the vessel.

Master to furnish bill of health.

18. The master shall furnish the immigration agent, or the medical officer, at the port of entry with a bill of health, certified by the medical officer of the vessel, such bill of health being in

the form and containing such information as is required from time to time under this Act.

Inspection of vessel by medical officer.

19. The immigration agent, whenever he deems proper, may request the medical officer before any passengers leave the vessel to go on board and inspect such vessel, and examine and take extracts from the list of passengers or manifest, and from the bill of health.

Immigrants must possess prescribed amount of money.

20. The regulations to be made by the Governor in Council may provide as a condition to permission to enter Canada that immigrants shall possess money to a prescribed minimum amount, which amount may vary according to the class and destination of such immigrant, and otherwise according to the circumstances.

MEDICAL INSPECTION.

Hours of medical inspection.

21. The medical inspection of passengers shall be performed at the hours named in the regulations made by the Minister.

Facilities for examination.

22. The immigration agent shall provide suitable facilities for the examination of immigrants at each port of entry, subject to any regulations made by the Minister.

Ticket to be stamped after inspection.

23. The medical officer shall, after inspection, stamp the ship ticket or railway ticket or passport of each passenger who has passed the medical inspection, and the immigration agent shall detain any passenger who has been inspected and not admitted, as required by this Act, or by any Order in Council, proclamation or regulation made thereunder.

Immigration agent responsible for person detained.

24. The immigration agent shall be responsible for the safe-keeping of any person so detained, except while in an hospital or other place of detention under the charge of a medical officer.

Arrangements for care of detained persons.

25. The medical officer may, from time to time, with the consent and approval of the Minister, make such arrangements as he considers necessary for the care and supervision of immigrants who are detained on board a vessel where hospital facilities on shore do not exist, or, having been permitted to leave the vessel, are detained either for medicalttreatment or are awaiting deportation.

IMMIGRANTS PROHIBITED FROM LANDING.

Prohibited immigrants; insane and epileptic.

26. No immigrant shall be permitted to land in Canada, who is feeble-minded, an idiot, or an epileptic, or who is insane, or has had an attack of insanity within five years; nor shall any immigrant be so landed who is deaf and dumb, or dumb, blind or infirm, unless he belongs to a family who accompany him or are already in Canada and who give security, satisfactory to the Minister, and in conformity with the regulations in that behalf, if any, for his permanent support if admitted into Canada.

Diseased persons.

27. No immigrant shall be permitted to land in Canada who is afflicted with a loathsome disease or with a disease which is contagious or infectious and which may become dangerous to the public health or widely disseminated, whether such immigrant intends to settle in Canada or only to pass through Canada to settle in some other country; but if such disease is one which is curable within a reasonably short time the immigrant suffering therefrom may, subject to the regulations in that behalf, if any, be permitted to remain on board where hospital facilities do not exist on shore, or to leave the vessel for medical treatment, under such regulations as may be made by the Minister.

Proviso.

Paupers and beggars.

28. No immigrant shall be permitted to land in Canada who is a pauper, or destitute, a professional beggar, or vagrant, or who is likely to become a public charge; and any person landed in Canada who, within two years thereafter, has become a charge upon the public funds, whether municipal, provincial, or federal, or an inmate of or a charge upon any charitable institution, may be deported and returned to the port or place whence such immigrant came or sailed for Canada.

Criminals and prostitutes.

29. No immigrant shall be permitted to land in Canada who has been convicted of a crime involving moral turpitude, or who is a prostitute, or who procures, or brings or attempts to bring into Canada prostitutes or women for purposes of prostitution.

Absolute prohibition of any class of immigrants.

30. The Governor in Council may, by proclamation or order whenever he considers it necessary or expedient, prohibit the landing in Canada of any specified class of immigrants, of which due notice shall be given to the transportation companies.

Boards of inquiry on immigrants seeking admission to Canada.

Appeal to Superintendent of Immigration.

31. Acting under the authority of the Minister, the immigration agent, the medical officer, and any other officer or officers named by the Minister for such purpose, may act as a board of inquiry at any port of entry to consider and decide upon the case of any immigrant seeking admission into Canada. The decision of such board touching the right of any such immigrant to land in Canada shall be subject to appeal to the superintendent of immigration, whose action shall be subject to review by the Minister.

Procedure.

2. The Governor in Council may make regulations governing the procedure in connection with inquiries by such boards of inquiry and appeals from their decisions.

Deportation of prohibited immigrants.

32. All railway or transportation companies or other persons bringing immigrants from any country into Canada shall, on the demand of the superintendent of immigration, deport to the country whence he was brought, any immigrant prohibited by this Act or any order in council or regulation made thereunder, from being landed in Canada who was brought by such railway, transportation company or other person into Canada within a period of two years prior to the date of such demand.

Deportation of immigrants

33. Whenever in Canada an immigrant has within two years of his landing in Canada committed a crime involving moral

turpitude, or become an inmate of a jail or hospital or other charitable institution, it shall be the duty of the clerk or secretary of the municipality to forthwith notify the Minister thereof, giving full particulars. On receipt of such information the Minister may, on investigating the facts, order the deportation of such immigrant at the cost and charges of such immigrant if he is able to pay, and if not then at the cost of the municipality wherein he has last been regularly resident, if so ordered by the Minister, and if he is a vagrant or tramp, or there is no such municipality, then at the cost of the Department of the Interior. Every such immigrant shall be carried by the same transportation company or companies which brought him into Canada to the port from which he came to Canada without receiving the usual payment for such carriage. In case he was brought into Canada by a railway company such company shall similarly convey him or secure his conveyance from the municipality or locality whence he is to be deported to the country whence he was brought.

within one year of arrival in certain cases.

PROTECTION OF IMMIGRANTS.

Passengers may remain on board 24 hours after arrival.

34. Every immigrant on any vessel arriving at a port of entry to which the owner or master of such vessel engaged to convey him, if facilities for housing or inland carriage for such immigrant are not immediately available, shall be entitled to remain and keep his luggage on board the vessel twenty-four hours after such arrival, and the master of such vessel shall not, before the expiry of such twenty-four hours, remove any berths or accommodation used by such immigrants.

Passengers and luggage to be landed free.

35. The master of any vessel having immigrants on board, shall land his passengers and their luggage free of expense to the said passengers at any of the usual public landing places at the port of arrival, according to orders which he receives from the immigration agent at the said port, and at reasonable hours as fixed by the immigration agent in accordance with the regulations in that behalf.

Landing place.

36. The Minister or the superintendent of immigration may, from time to time, by instructions to the immigration agent at any port of entry appoint the place at which all passengers arriving at such port shall be landed.

Shelter and accommodation to be provided.

37. At the place so appointed the Minister may cause proper shelter and accommodation to be provided for the immigrants until they can be forwarded to their place of destination.

Immigrants not to be solicited except by licensed persons.

38. No person shall, at any port or place in Canada, for hire, reward or gain, or the expectation thereof, conduct, solicit or recommend, either orally or by handbill or placard or in any other manner, any immigrant, to or on behalf of any owner of a vessel, or to or on behalf of any lodging-house keeper or tavern keeper or any other person, for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of destination in Canada, or in the United States, or in other territories outside of Canada, or give or pretend to give to such immigrant any information, oral, printed

any way exercise the vocation of booking passengers, or of taking money for their inland fare, or for the transportation of their luggage,unless such person has first obtained a license from the superintendent of immigration authorizing him to act in such capacity.

Runners not to board vessels before passengers are landed.

39. No person, whether a licensed immigrant runner, or agent or person acting on behalf of any steamboat company, railway company, forwarding company, or hotel or boarding-house keeper or his agent, shall go on board any vessel bringing immigrants into Canada after such vessel has arrived in Canadian waters, or into an immigration building or on to any wharf where immigrants are landed, or shall book or solicit any immigrant by such vessel, before the immigrants are landed from such vessel, unless he is authorized so to do by the superintendent of immigration or immigration agent at the port of entry where such vessel is to land its passengers.

Lists of hotel and boarding-house prices to be displayed.

Lien on immigrants' goods limited.

40. Every keeper of a tavern, hotel or boarding house in any city, town, village or place in Canada designated by any order in council who receives into his house as a boarder or lodger any immigrant within three months from his arrival in Canada, shall cause to be kept conspicuouly posted in the public rooms and passages of his house and printed upon his business cards, a list of the prices which will be charged to immigrants per day and week for board or lodging, or both, and also the prices for separate meals, which cards shall also contain the name of the keeper of such house together with the name of the street in which it is situate, and its number in such street. No such boarding-house keeper, hotel keeper or tavern keeper shall have any lien on the effects of such immigrant for any amount claimed for such board or lodging for any sum exceeding five dollars.

Inquiry in case of complaint against any company as to violation of Act.

Penalty.

41. If complaint be made to the Minister or the superintendent of immigration against any railway company or other incorporated company of any offence or violation of this Act, or of any law of the United Kingdom or of any other country, in any matter relating to immigrants or immigration, the Minister may cause such inquiry as he thinks proper to be made into the facts of the case, or may bring the matter before the Governor in Council in order that such inquiry may be made under the Act respecting inquiries concerning public matters.

2. If upon such inquiry, it appears to the satisfaction of the Minister that the company has been guilty of such violation, the Minister may require the company to make such compensation to the person aggrieved, or to do such other thing, as is just and reasonable, or may adopt measures for causing such proceedings to be instituted against the company as the case requires.

Property of immigrant parents dying.

42. If both the immigrant parents, or the last surviving immigrant parent of any child or children brought with them in any vessel bound for Canada, die on the voyage, or at any quarantine station or elsewhere in Canada while still under the care of an immigration agent or other officer under this Act, the Minister, or such officer as he deputes for the purpose, may cause or otherwise, or assist him to his said place of destination, or in

the effects of such parents or parent to be disposed of for the benefit of such child or children to the best advantage in his power, or in his discretion to be delivered over to any institution or person assuming the care and charge of such child or children.

Intercourse between crew and female immigrants prohibited.

43. No officer, seaman or other person on board of any vessel bringing immigrants to Canada shall, while such vessel is in Canadian waters, entice or admit any female immigrant passenger into his apartment, or, except by the direction or permission of the master of such vessel first made or given for such purpose, visit or frequent any part of such vessel assigned to female immigrant passengers.

Notice of foregoing provision to be posted up.

44. The master of every vessel bringing immigrant passengers to Canada shall, at all times while the vessel is in Canadian waters, keep posted a written or printed notice in the English, French, Swedish, Danish, German, Russian, and Yiddish, languages, and such others as are ordered from time to time by the superintendent of immigration containing the provisions of this Act regarding the prevention of intercourse between the crew and the immigrant passengers, and the penalties for the contravention thereof, in a conspicuous place on the forecastle and in the several parts of the said vessel assigned to immigrant passengers, and keep the same so posted during the remainder of the voyage.

Inspection of vessel for evidence of contravention.

2. The immigration agent at the port of entry shall inspect every such vessel upon arrival for evidence of compliance with this section, and shall institute proceedings for any penalty incurred thereunder.

PENALTIES.

Penalty for vessels carrying passengers above number authorized.

45. If any vessel from any port or place outside of Canada comes within the limits of Canada having on board or having had on board at any time during her voyage—

(*a*) any greater number of passengers than one adult passenger for every fifteen clear superficial feet on each deck of such vessel appropriated to the use of such passengers and unoccupied by stores or other goods not being the personal luggage of such passengers; or

(*b*) a greater number of persons, including the master and crew and the cabin passengers, if any, than one for every two tons of the tonnage of such vessel, calculated in the manner used for ascertaining tonnage of British ships, the master of such vessel shall incur a penalty not exceeding twenty dollars and not less than eight dollars for each passenger or person constituting such excess.

For masters not making report.

46. If the master of any vessel does not, forthwith after such vessel arrives at any port of entry in Canada, and before any entry of such vessel is allowed, deliver to the immigration agent at the port at which such vessel is to be entered a correct report, in the form prescribed by the regulations in that behalf, of all the passengers on board such vessel at the time of her departure from the port or place whence she last cleared or sailed for Canada, and a true statement of the other

particulars mentioned in the said form, he shall incur a penalty of—

(*a*) twenty dollars for each day during which he neglects so to deliver such list, and

(*b*) eight dollars for each passenger whose name is omitted in such report.

For masters permitting landing of passengers before report certified.

47. If the master of any vessel arriving at any port of entry in Canada permits any passenger to leave the vessel before he has delivered to the immigration agent at any such port a certified and correct report in the form prescribed by the regulations in that behalf, and has received permission from the immigration agent to allow the passengers to land, he shall incur a penalty not exceeding one hundred dollars and not less than twenty dollars for every passenger so leaving the vessel.

For pilots neglecting to inform agent of violation of Act.

48. Every pilot who has had charge of any vessel having passengers on board, and knows that any passenger has been permitted to leave the vessel contrary to the provisions of this Act, and who does not immediately upon the arrival of such vessel in the port to which he engaged to pilot her, and before the immigration agent has given permission to the passengers to leave the vessel, inform the said agent that such passenger or passengers has or have been so permitted to leave the vessel, shall incur a penalty not exceeding one hundred dollars for every passenger with regard to whom he has wilfully neglected to give such information.

For master neglecting to deliver report to immigration agent.

49. If the master of any vessel arriving at any port of entry in Canada omits to report in writing to the immigration agent at such port, in the report required by this Act to be delivered by him on each voyage, the name and age of each passenger embarked on board of such vessel on such voyage who is lunatic, idiotic, epileptic, deaf and dumb, or dumb, blind or infirm, or suffering from any disease known to exist by the medical officer of the ship, stating also as to each passenger whether he is accompanied by relatives, able to support him or not, or makes any false report in any of such particulars he shall incur a penalty not exceeding one hundred dollars, and not less than twenty dollars for every such passenger in regard to whom any such omission occurs or any such false report is made.

Liability of owner.

2. The owner of the vessel shall in such case also be liable for the aforesaid penalty, and, if there be more owners than one, such owners shall be so liable jointly and severally; but in any case under this section where a conviction has been obtained against the master of the vessel, no further prosecution against the owner of the vessel shall be instituted.

Penalty for master neglecting to report as to passengers dying.

50. If the master of any vessel arriving at any port in Canada refuses or neglects—

(*a*) to mention in the report, in the form set forth in the schedule to this Act, the name, age and last place of residence of any passenger who has died during the passage of the vessel, and to specify whether such passenger was accompanied by relatives or other persons, if any, who would be entitled to take

charge of the moneys and effects left by such passenger, and the disposal made thereof, or

(*b*) if there be no such relatives, or other persons entitled to take charge of such moneys and effects, to fully designate in the said report the quantity and description of the property, whether money or otherwise, left by such passenger, and to pay over and fully account therefor to the immigration agent for the port at which the vessel is entered, he shall incur a penalty not exceeding one thousand dollars and not less than twenty dollars.

As to property left by dead passengers.

51. If the master of any vessel arriving at any port of entry in Canada where facilities for housing or inland carriage are not immediately available, compels any immigrant to leave his vessel before the expiration of the period of twenty-four hours after the arrival of the vessel in the port or harbour to which the master or owner of such vessel engaged to convey such imgrant, he shall incur a penalty not exceeding twenty dollars for each such immigrant whom he so compels to leave the vessel.

For master compelling passengers to leave vessel before 24 hours from arrival.

2. If such master, before the expiration of the said period, removes any berth or accommodation used by any passenger, except with the written permission of the immigration agent at the port of entry, he shall for each such removal incur a like penalty of twenty dollars.

Removing berth, etc.

52. If the master of any vessel arriving at any port of entry fails or refuses to land the passengers and their luggage, free of expense to the passengers, at one of the usual public landing places at such port of arrival, and according to the orders which he received from the immigration agent at such port, and at reasonable hours as fixed by such agent in accordance with the regulations in that behalf, if any, he shall incur a penalty of forty dollars for each offence.

For master refusing to land passengers free.

53. If the master of any vessel arriving at any port of entry in Canada and having on board such vessel any passengers to whom any such instructions apply refuses or neglects to land such passengers and their luggage, free of expense, and by steam tug or other proper tender, if necessary, at the place so appointed, and at reasonable hours, fixed as aforesaid, he shall incur a penalty of twenty dollars for each such passenger.

For master refusing or neglecting to properly land passengers.

IMMIGRANT RUNNERS, ETC.

54. Every person who, at any port or place within Canada, for hire, reward or gain, or the expectation thereof,—

(*a*) conducts, solicits, or recommends, either orally or by handbill or placard, or in any other manner, any immigrant to or on behalf of,—

(i) any owner of a vessel, or

(ii) any railway company, or

(iii) any lodging-house keeper or tavern keeper, or

(iv) any other person,

for any purpose connected with the preparations or arrangements of such immigrant for his passage to his final place of

For soliciting, etc., immigrants by other than licensed persons.

destination in Canada or in the United States or to other territories outside of Canada, or

(*b*) gives or pretends to give to such immigrant any information, printed or otherwise, or assists him to his said place of destination, or in any way exercises the vocation of booking passengers or of taking money for their inland fare, or for the transportation of their luggage, shall, unless such person has first obtained a license from the superintendent of immigration authorizing him to act in such capacity, incur a penalty of not more than fifty dollars for each offence.

For runners boarding vessels before passengers landed without permit of agent.

55. Every licensed immigrant runner or agent, or person acting on behalf of any owner of a vessel, railway company, forwarding company or any hotel or boarding-house keeper, or his agent, who goes on board any vessel bringing immigrants into Canada, or books or solicits any immigrant passenger by such vessel, before the immigrants are landed therefrom, unless he is authorized by the immigrant agent at the port of entry where such vessel is to land its passengers so to do, shall incur a penalty of twenty-five dollars for each offence.

For selling tickets to immigrants at higher rate than purchaseable from company undertaking conveyance.

56. Every person licensed under this Act as an immigrant-runner or agent, or person acting on behalf of any owner of a vessel, railway company, forwarding company or hotel or boarding-house keeper, and every person in his employ who sells to any immigrant a ticket or order for the passage of such immigrant or for the conveyance of his luggage at a higher rate than that for which it could be purchased directly from the company undertaking such conveyance, and every person who purchases any such ticket from an immigrant for less than its value, or gives in exchange for it one of less value, shall incur a penalty of twenty dollars for each such offence, and the license of such person shall be forfeited.

For hotel-keepers neglecting to post up list of prices;

57. Every keeper of a tavern, hotel or boarding-house in any city, town, village or other place in Canada who—

(*a*) neglects or refuses to post a list of prices or to keep business cards on which is printed a list of the prices which will be charged to immigrants per day or week for board or lodging, or both, and the prices for separate meals, and also the name of the keeper of such house, together with the name of the street in which the house is situated and its number in such street, or—

or charging and receiving sums higher than fixed prices;

(*b*) charges or receives, or permits or suffers to be charged or received for boarding or lodging, or for meals in his house, any sum in excess of the prices so posted and printed on such business cards, or—

or omitting to deliver price cards.

(*c*) omits immediately on any immigrant entering such house as a boarder or lodger for the purpose of taking any meal therein, to deliver to such immigrant one of such printed business cards, shall incur a penalty not exceeding twenty dollars and not less than five dollars.

For detaining effects after tender of $5.

58. Every such boarding-house keeper, hotel keeper or tavern keeper, who detains the effects of any immigrant by reason of any claim for board or lodging after he has been tendered the sum of five dollars or such less sum as is actually

due for the board or lodging of such immigrant, shall incur a penalty not exceeding twenty-five dollars and not less than five dollars, over and above the value of the effects so detained, and he shall also be liable to restore such effects.

Recovery of goods detained.

2. In the event of any such unlawful detention, the effects so detained may be searched for and recovered under search warrant as in case of stolen goods.

For intercourse between crew and female immigrants

59. Every officer, seaman or other person employed on board of any vessel bringing immigrant passengers to Canada who, while such vessel is in Canadian waters, entices or admits any female immigrant passenger, not being a cabin passenger, into his apartment, or except by the direction or permission of the master of such vessel first given visits or frequents any part of such vessel assigned to female immigrant passengers, not being cabin passengers, shall incur a penalty equal in amount to his wages for the voyage during which the said offence was committed.

For permitting employees on vessel to visit portion assigned to female immigrants.

60. Every master of any vessel who, while such vessel is in Canadian waters, directs or permits any officer or seaman or other person employed on board of such vessel to visit or frequent any part of such vessel assigned to immigrants, except for the purpose of doing or performing some necessary act or duty as an officer, seaman or person employed on board of such vessel, shall incur a penalty of twenty-five dollars for each occasion on which he so directs or permits the provisions of this section to be violated by any officer, seaman or other person employed on board of such vessel: This section shall not apply to cabin passengers, or to any part of the vessel assigned to their use.

For neglecting to post up notice of provisions concerning female immigrants.

61. Every master of a vessel bringing immigrants to Canada who neglects to post and keep posted the notice required by this Act to be posted regarding the prevention of intercourse between the crew and the immigrant passengers and the penalties for contravention thereof as required by this Act shall be liable to a penalty not exceeding one hundred dollars for each such offence.

For violation of laws in foreign port and breach of contract with passengers by master.

62. If, during the voyage of any vessel carrying immigrants from any port outside of Canada to any port in Canada, the master or any of the crew is guilty of any violation of any of the laws in force in the country in which such foreign port is situate, regarding the duties of such master or crew towards the immigrants in such vessel; or if the master of any such vessel during such voyage commits any breach whatsoever of the contract for the passage made with any immigrant by such master, or by the owner of such vessel, such master or such one of the crew shall, for every such violation or breach of contract, be liable to a penalty not exceeding one hundred dollars and not less than twenty dollars, independently of any remedy which such passengers complaining may otherwise have.

For contraventions not otherwise provided for.

63. Every person who violates any provision of this Act, or of any Order in Council, proclamation or regulation in respect of

which violation no other penalty is provided by this Act, shall incur a penalty not exceeding one hundred dollars.

RECOVERY OF DUTIES AND PENALTIES.

Duties and penalties to be lien on vessel.

64. Every duty or penalty imposed under the authority of this Act upon the owner, charterer or master of any vessel shall, until payment thereof, be a lien upon any vessel of the company or owner or charterer in respect whereof it has become payable, and may be enforced and collected by the seizure and sale of the vessel, her tackle, apparel and furniture, under the warrant or process of the magistrate or court before whom it has been sued for, and shall be preferred to all other liens or hypothecations except mariners' wages.

Penalty imposed on railway company to be lien on railway.

2. Every penalty imposed under the authority of this Act upon a railway company shall, until payment thereof, be a lien or charge upon the railway property, assets, rents and revenues of such company.

PROCEDURE.

Where prosecution may be brought.

65. Every prosecution for a penalty under this Act may be instituted at the place where the offender then is, before any justice of the peace having jurisdiction in such place, and may be recovered, upon summary conviction, at the suit of any immigration agent, and the penalties recovered shall be paid into the hands of the Minister of Finance and Receiver General and shall form part of the Consolidated Revenue Fund of Canada. The

Costs.

justice of the peace may award costs against the offender as in ordinary cases of summary proceedings, and may, in the case of an owner, charterer or master of a vessel, also award imprisonment for a term not exceeding three months, to terminate on payment of the penalty incurred, and may, in his discretion, award any part of the penalty, when recovered, to the person aggrieved by or through the act or neglect of such offender.

Proceedings when there is no sufficient distress.

66. If it appears to the justice, by the admission of such person or otherwise, that no sufficient distress can be had whereon to levy the moneys so adjudged to be paid he may, if he thinks fit, refrain from issuing a warrant of distress in the case, or, if such warrant has been issued, and upon the return thereof such insufficiency as aforesaid is made to appear to the justice, then such justice shall, by warrant, cause the person ordered to pay such money and costs as aforesaid to be committed to gaol, there to remain without bail for any term not exceeding three months unless such moneys and costs ordered to be paid, and such costs of distress and sale as aforesaid, are sooner paid and satisfied; but such imprisonment of a master of any vessel shall not discharge the vessel from the lien or liability attached thereto by the provisions of this Act.

Conviction or proceeding not to be quashed for want of form.

67. No conviction or proceeding under this Act shall be quashed for want of form, nor, unless the penalty imposed is one hundred dollars or over, be removed by appeal or certiorari or otherwise into any superior court.

2. No warrant or committment shall be held void by reason of any defect therein, provided it is therein alleged that the

person has been convicted and there is a good and valid conviction to sustain the same.

3. In the case of removal by appeal or certiorari or otherwise or any conviction or proceeding under this Act in to any superior court, security to the extent of $100 for the costs of such removal proceedings into such superior court to the satisfaction of a judge of such court shall be given. Security in case of appeal, etc.

68. All expenses incurred in carrying out the provisions of this Act and of affording help and advice to immigrants and aiding, visiting and relieving destitute immigrants, procuring medical assistance and otherwise attending to the objects of immigration, shall be paid out of any moneys granted by Parliament for any such purpose and under such regulations or under such orders in council, if any, as are made for the distribution and application of such moneys. Payment of expenses under Act.

69. Every owner or master of a vessel who lands or permits to land therefrom in Canada any immigrant or other passenger, the landing of whom is prohibited by this Act, or by any order in council, proclamation or regulation made thereunder, whether such immigrant or passenger intends to settle in Canada or only intends to pass through Canada to settle in some other country, or who refuses or neglects, when thereunto lawfully required, to take on board his vessel any immigrant or passenger who has been so landed, shall incur a penalty not exceeding one thousand dollars and not less than one hundred dollars, in the case of each such offence. Penalty for master permitting prohibited immigrant to land, and refusing to take on board when required.

70. Any person landed in Canada from a vessel, or brought into Canada by a railway company, in contravention of this Act, or of any order in council or proclamation lawfully issued thereunder, or any person landed for medical treatment who remains in Canada in contravention of such order or proclamation, may be apprehended, without a warrant, by any immigration agent or other Government officer, and may, by force if necessary, be compelled to return to or be taken on board the vessel, and, in the case of a railway company, be returned to the country whence he came; and every owner or master of a vessel and every railway company or other person who violates the provisions of this section, or who aids or abets any immigrant or passenger in acting in contravention of such order or proclamation, or who refuses or neglects to take any such immigrant or passenger on board such vessel or the cars of such railway company, shall incur a penalty not exceeding one thousand dollars and not less than one hundred dollars in the case of each such offence. Apprehension of prohibited persons who shall be returned to vessel or country whence they came.

2. Every railway company which wilfully receives or transports any such immigrant or other passenger, or which refuses or neglects, when thereunto lawfully required, to take on board its cars any such immigrant or passenger, shall be liable to a penalty not exceeding one thousand dollars and not less than one hundred dollars in the case of each such offence. Penalty for contravention by railway companies.

71. Any person found in Canada who has come into Canada within a period of one year from any other country by any Apprehension and deportation

of immigrants liable to exclusion.

means or mode of conveyance and who would be liable to exclusion or deportation under any of the provisions of this Act relating to immigrants or passengers arriving by ship or railway train may be apprehended and compelled to return to the country whence he came.

Deportation of head of family entails deportation of family.

72. In any case where deportation of the father or head of a family is ordered, all dependent members of the family shall be deported at the same time.

Acts repealed.

73. The following Acts are repealed: chapter 65 of the Revised Statutes, the Immigration Act; chapter 34 of the statutes of 1887; and chapter 14 of the statutes of 1902.

SCHEDULE.

NAMES AND DESCRIPTION OF PASSENGERS.

No. of Passengers.	Number of Ocean SS. Ticket.	Amount of Cash. (To be filled in by Immigration Agent at port of landing.)	Name of Passenger.	Age of Adults.		Children under 14 Years of Age.		Able to		Married or Single.	Profession, occupation or calling of Passengers.	Nation or Country of Birth.	Births at Sea.	Deaths at Sea.	Place of ultimate destination of Passengers excepting "Tourists and returned Canadians" who are to be so described.
				Male.	Female.	Male.	Female.	Read.	Write.						

PARTICULARS RELATIVE TO THE VESSEL.

Port of Embarkation. — Date of Sailing.	Vessel's name.	Master's name.	Tonnage.	From what port or place.	Total number of superficial feet in the several compartments set apart for Passengers other than Cabin Passengers.	Total number of Adult Passengers exclusive of Master, Crew, and Cabin Passengers, which the vessel may legally carry.	Where bound.

SUMMARY.

—	Number of Souls.	Number of Adults to which they are equal under the Immigration Act.
Adults.....		
Children under 14 years of age...		
Total.....		

I hereby certify that the above is a correct description of the [*Description of the Vessel as Ship Brig, etc.*] [*Name of Vessel*] and a correct list of all the passengers on board the same, at the time of her departure from [*Place whence she came*] and that all particulars therein mentioned are true.

Date, 19 . [*Signature of Master.*]

No. 170.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Immigration and Immigrants.

(*Reprinted as amended in Committee of the Whole.*)

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 171.] **BILL.** [1906.

An Act to amend the Interpretation Act.

IN amendment of the Interpretation Act, chapter 1 of the Revised Statutes, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Commencement of Acts, etc.

1. Where an Act, or any order in council, order, warrant, scheme, letters patent, rule, regulation, or by-law, made, granted, or issued, under a power conferred by any Act, is expressed to come into operation on a particular day, the same shall be construed as coming into operation immediately on the expiration of the previous day.

Exercise of statutory powers between passing and commencement of Act.

2. Where an Act is not to come into operation immediately on the passing thereof, and confers power to make any appointment, to make, grant, or issue any instrument, that is to say, any order in council, order, warrant, scheme, letters patent, rule, regulation, or by-law, to give notices, to precribe forms or to do any other thing for the purposes of the Act, that power, unless the contrary intention appears, may, so far as is necessary or expedient for the purpose of making the Act effective at the date of the commencement thereof, be exercised at any time after the passing of the Act, subject to this restriction, that any instrument made under the power shall not, unless the contrary intention appears in the Act, or the contrary is necessary for making the Act effective from its commencement, come into operation until the Act comes into operation.

Construction of amending Act.

3. An amending Act shall, so far as is consistent with the tenor thereof, be construed as one with the Act which it amends.

Application of rules of interpretation.

4. Definitions or rules of interpretation contained in any Act shall, unless the contrary intention appears, apply to the construction of the sections of the Act which contain those definitions or rules of interpretation as well as to the other provisions of the Act.

Construction of instruments.

5. Where any Act confers power to make, grant or issue any instrument, that is to say, any order in council, order, warrant, scheme, letters patent, rule, regulation, or by-law, expressions used in the instrument shall, unless the contrary intention appears, have the same respective meanings as in the Act conferring the power.

Citation of Acts.

6. In any Act, instrument or document an Act may be cited by reference to its short title, if any, either with or without reference to the chapter, or by reference to the regnal year, or the year of our Lord, in which it was passed.

2. Any such citation of or reference to any Act, shall, unless the contrary intention appears, be deemed to be a citation of or reference to such Act as amended.

No. 171.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Interpretation Act

First reading, May 23, 1906.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 174.] **BILL.** [1906.

An Act respecting the Quebec Harbour Commissioners.

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

1899, c. 34.

Additional loan authorized.

1. In addition to the sum authorized by section 34 of chapter 34 of the statutes of 1899, The Quebec Harbour Commissioners Act, 1899, the Governor in Council may raise, in the manner provided by the said section, and advance to the Quebec Harbour Commissioners (hereinafter called "the Corporation") the sum of one hundred and fifty thousand dollars, being the amount required to complete the new deep water frontage of the Louise Embankment in the tidal harbour.

Advances for completion of Louise Enbankment.

2. The sum so raised shall be advanced to the Corporation from time to time to meet payments falling due in respect of the said work in the same manner and subject to the like terms and conditions as are provided with respect to the advances authorized by the said section 34, and shall be applied to no other purpose than that hereinbefore specified.

Bonds as security.

3. The said advances shall be secured by a deposit of bonds of the Corporation in the manner provided by and subject to the provisions of the said section 34, which bonds the Corporation is hereby authorized to issue in addition to the amount of all issues of bonds heretofore authorized, and the said bonds and the interest thereon shall rank and be secured in the same manner as the bonds and interest for the advances authorized by the said section 34.

No. 174.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Quebec Harbour Commissioners.

First reading, May 23, 1906.

MR. BRODEUR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 175.] **BILL.** [1906.

An Act to amend the Customs Tariff, 1897.

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

Machinery for beet-root sugar factories.

1. Item 555*a* in schedule B to the Customs Tariff, 1897, as that item is enacted by section 7 of chapter 11 of the statutes of 1905, is repealed and the following is substituted therefor:—

"555*a*. Machinery of every kind and structural iron and steel, when imported under regulations to be made by the Minister of Customs, for use in the construction and equipment of factories for the manufacture of sugar from beet root, until the thirty-first day of December, 1906."

Machinery for alluvial gold mining.

2. Item 555*c* in the said schedule B, as that item is enacted by section 8 of chapter 11 of the statutes of 1905, is repealed and the following is substituted therefor:—

"555*c*. Machinery and appliances of a kind not made in Canada, for use exclusively in alluvial gold mining, until the thirty-first day of December, 1906."

Re-rolled railway bars and rails.

3. Subject to such regulations as the Minister of Customs deems expedient, notwithstanding anything contained in schedule A to the Customs Tariff, 1897, the duty on iron or steel railway bars or rails, which have been in use in the tracks of railways in Canada, and which have been exported from Canada, and returned thereto, after having been re-rolled, and weighing not less than fifty-six pounds per lineal yard when re-rolled, and to be used by the railway company importing them, on their own tracks, shall be twenty-five per cent on the cost of re-rolling the rails; provided, however, that whenever the Governor in Council is satisfied that a mill adapted to and equipped for re-rolling of such rails in substantial quantities has been established in Canada, the Governor General, by Order in Council, published in the *Canada Gazette*, may abolish this duty, and thereupon all such rails when imported shall be subject to such duty as the Customs Tariff, 1897, provides.

No. 175.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL

An Act to amend the Customs Tariff, 1897.

First reading, May 29, 1906.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 176.] **BILL.** [1906.

An Act respecting Penitentiaries.

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

SHORT TITLE.

1. This Act may be cited as The Penitentiary Act. Short title.

INTERPRETATION.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a.*) The expression "Minister" means the Minister of Justice; "Minister."

(*b.*) The expression "officer" means and includes any officer, or employee of any of the classes mentioned in the schedule to this Act, or any servant in the employ of the penitentiary; "Officer."

(*c.*) The expression "inspector" shall mean the inspectors of penitentiaries, or either of them; "Inspector."

(*d.*) The expression "trade instructors" includes bakers, blacksmiths, carpenters, masons, millers, shoemakers, stonecutters, tailors and other persons employed to superintend any industrial department or to direct and instruct convicts in any branch of labour. "Trade instructors."

CONTROL OF PENITENTIARIES.

3. All the penitentiaries in Canada and such other prisons and public institutions as are, from time to time, designated for that purpose by the Governor in Council, by proclamation in the *Canada Gazette*, and all prisoners and other persons confined therein and inmates thereof, shall be under the control of the Minister, who shall exercise over them complete administrative power. Penitentiaries, prisons, etc., to be under control of Minister.

4. The Minister shall submit to the Governor in Council an annual report upon all the penitentiaries, prisons and other institutions under his control, to be laid before both Houses of Parliament within the first twenty-one days of each session thereof, showing the state of each penitentiary, prison or other institution, and the amounts received and expended in respect thereof, with such further information as he deems requisite. Annual report thereon by the Minister.

PENITENTIARIES AND THEIR LIMITS, ETC.

5. The penitentiary situate near the city of Kingston, in the province of Ontario, known as the Kingston Penitentiary,— the penitentiary situate at St. Vincent de Paul, in the province of Quebec, known as the St. Vincent de Paul Penitentiary,— the penitentiary situate at Dorchester, in the province of New Penitentiaries enumerated.

Brunswick, known as the Dorchester Penitentiary,—the penitentiary situate in the county of Lisgar, in the province of Manitoba, known as the Manitoba Penitentiary,—the penitentiary situate in the district of New Westminster, in the province of British Columbia, known as the British Columbia Penitentiary,—and the Alberta penitentiary for the provinces of Alberta and Saskatchewan,—together with all lands appertaining to the same respectively, according to the respective metes and bounds thereof as now known and defined, and all the buildings and property thereon belonging to the asme, are, all and each of them, hereby declared to be penitentiaries of Canada.

Penitentiaries for the several provinces.

6. The Kingston Penitentiary, for the province of Ontario, —the St. Vincent de Paul Penitenitary, for the province of Quebec,—the Dorchester Penitentiary for the provinces of Nova Scotia, New Brunswick and Prince Edward Island,—the Manitoba Penitentiary, for the province of Manitoba and all that part of the Territories of Canada situate east of the one hundred and second west meridian,—the British Columbia Penitentiary, for the province of British Columbia, and the Alberta Penitentiary, for the provinces of Alberta and Saskatchewan, and all that part of the Territories of Canada, except the Yukon Territory, situate west of the one hundred and second west meridian, shall each be maintained as a prison for the confinement and reformation of persons lawfully convicted of crime before the courts of criminal jurisdiction of the province, territory or district for which it is the penitentiary, and sentenced to confinement for life, or for any term not less than two years..

Power to alter district for penitentiary.

7. The portion of Canada for which a penitentiary is the penitentiary shall be subject to alteration, from time to time, by proclamation of the Governor in Council, and by such proclamation the Governor in Council may attach to the territory or province for which any one of the above named penitentiaries is the penitentiary, any tract or territory forming a portion or the whole of the territory or province, for which some other of the said penitentiaries is the penitentiary; and any person thereafter convicted of crime and sentenced as aforesaid by any court within the limits of the tract or territory so attached shall undergo in the former penitentiary the imprisonment to which he is sentenced.

As to persons thereafter sentenced.

Use of lock-ups as penitentiaries in Yukon.

8. Every lock-up, guard-room, guard-house or place of confinement provided by or for or under the direction of the Royal North-west Mounted Police Force, or the regular military force, or a municipal body, or by the Commissioner or Commissioner in Council of the Yukon Territory, shall be a penitentiary, jail, and place of confinement for all persons sentenced to imprisonment in the Yukon Territory, and the Commissioner of the territory shall direct in which such penitentiary, jail or place of confinement any person sentenced to imprisonment shall be imprisoned.

Governor in Council may establish. penitentiaries and declare any lands established as such not to be so.

9. The Governor in Council may declare, from time to time, by proclamation, to be published in the *Canada Gazette*, that any tract of land within Canada, of which the boundaries shall be described in the proclamation, is a penitentiary, and is to be so held within the meaning of this Act,—and by such proclamation may declare for what part of Canada the same shall be a peniten-

tiary; and the Governor in Council, by any proclamation published as aforesaid, may declare that any tract of land established as a penitentiary by the fifth and sixth sections of this Act, or by any other law, or by proclamation under this section, from and after a certain day to be named in such proclamation, shall cease to be a penitentiary, or a penitentiary for a part of Canada named in such proclamation,—and such tract of land shall cease to be a penitentiary, or a penitentiary for such part of Canada, accordingly.

What shall be included as part of a penitentiary.

10. Every penitentiary now established, or hereafter established by virtue of this Act, shall be held to include all carriages, wagons, sleighs and other vehicles for land carriage, and all boats, scows and other vessels for water carriage, being property belonging to such penitentiary, or employed by hire or otherwise in its service,—and also every wharf at or near the said penitentiary, which, although not within the limits mentioned in the proclamation establishing the same, is used for the accommodation of such boats, scows or other vessels, when so employed in or about any work or labour connected with such penitentiary.

Streets, roads, etc., when to be part of a penitentiary.

Escapes.

11. Every street, highway or thoroughfare of any kind along or across which it is necessary or convenient that convicts should pass in going to or returning from their work, shall be considered, while so used, as a portion of the tract of land forming the penitentiary; and every escape, or attempt at escape, and every rescue, or aid in rescue, which takes place on such street, highway or public thoroughfare, shall have the same effect as if such escape or attempt at escape, or such rescue, or aid in rescue, had taken place within the penitentiary.

Tram roads may be made.

Notice to municipality.

12. The Minister may authorize the warden of any penitentiary to construct rail or tram roads to communicate between any one part of the penitentiary and any other part, and to carry the same across, upon or along any public road or street intervening, in such manner as to cause the least possible inconvenience to passengers or carriages using such road or street; but the warden of such penitentiary shall not break ground upon any public road or street for the purpose of constructing such rail or tram roads, in virtue of such authority until after the lapse of one month after a copy of the writing giving such authority, certified by the warden, together with a plan showing the line which such rail or tram roads are to occupy, has been served upon the officer or person charged with the care or supervision of such public road.

Contruction and repair of buildings.

13. The construction and repairs of buildings and other works in the penitentiaries shall be under the control of the Minister.

INSPECTORS.

Governor in Council may appoint inspectors.

14. The Governor in Council may appoint two inspectors of penitentiaries and of such other prisons, and other public institutions as are, from time to time, designated by the Gov-

ernor in Council: and each of the said inspectors shall hold office during pleasure, and shall be an officer of the Department of Justice, and, as such inspector, shall act as the representative of the Minister.

Present inspector.

15. The present inspectors of penitentiaries shall, during pleasure, be the inspectors for the appointment of whom provision is hereby made.

Duties of inspectors.

16. The Minister may, from time to time, assign to the said inspectors respectively such of the duties heretofore assigned to or performed by the inspector of penitentiaries as he may think proper, and he may at any time require either of the said inspectors to perform any duty assigned to or usually performed by the other of them.

Powers.

17. In connection with his functions and duties as inspector, each of the said inspector shall have all the powers vested in the inspectors of penitentiaries by or under this Act or any amendment thereto.

Inspectors to visit penitentiaries and report.

18. The inspector, under direction from the Minister of Justice, shall visit, examine and report to him, upon the state and management of all the penitentiaries, and the suggestions which the wardens thereof make for the improvement of such penitentiaries.

To be justices of the peace.

19. The inspector, by virtue of his office, without any property qualification, shall be a justice of the peace for every district, county, city or town of Canada, but shall have power to act in matters connected with the criminal law of Canada only.

To make rules and regulations, etc., subject to approval of Minister.

20. The inspector shall, subject to the approval of the Minister, make rules and regulations for the administration, management, discipline and police of the penitentiaries, and may, from time to time, with such approval annul, alter or amend the same; and the wardens of the penitentiaries, and every other officer employed in or about the same, shall be bound to obey such rules and regulations.

To make an annual report.

21. The inspector shall make an annual report to the Minister on or before the first day of September in each year, which shall contain a full and accurate statement of the state, condition and management of the penitentiaries under his control and supervision, for the preceding fiscal year, together with such suggestions for the improvement of the same as he deems necessary and expedient, and such report shall be accompanied by copies of the annual reports of the officers of the penitentiaries, and by such financial and statistical statements and tables as he deems useful, or as the Minister directs.

What the report shall contain.

Special reports as to improvements and repairs.

22. If the inspector at any time finds that any penitentiary is out of repair, or does not possess the proper or requisite sanitary arrangements, or has become unsafe or unfit for the confinement of prisoners, or that it does not afford sufficient

accommodation for the number of prisoners confined therein, or the requisite accommodation for the proper industrial employment of the prisoners, he shall forthwith report these facts to the Minister.

EXAMINATIONS AND INVESTIGATIONS.

Entry and examination of papers, etc.

23. The inspector may, at all times, enter into and remain within any penitentiary or other public institution placed under his control as aforesaid, and have access to every part thereof, and examine all papers, documents, vouchers, records, and books of every kind belonging thereto.

Control of penitentiary by inspector.

2. The inspector may at any time assume control of any penitentiary and exercise the powers and functions of warden with respect to the control and management of such penitentiary and of all its concerns.

Inquiries into conduct of officers, etc.

24. The inspector may investigate the conduct of any officer or servant employed in or about any penitentiary, or other such public institution, as aforesaid, or of any person found within the precincts thereof; and for that purpose, by subpœna, may summon any person, and examine such person upon oath,— which oath the inspector may administer—and may compel the production of papers and writings before him; and if any person duly summoned neglects or refuses to appear at the time and place specified in the subpœna legally served upon him, or refuses to give evidence or to produce the papers demanded of him, the inspector may cause the said person, by warrant under his hand, to be taken into custody and to be imprisoned in the common jail of the locality, as for contempt of court, for a period not exceeding fourteen days.

Summoning witnesses and administering oaths.

Punishment for refusal to give evidence.

Special reports by persons appointed by Minister.

25. The Minister, at any time when he deems it necessary, may appoint one or more persons to make a special report on the state and management of any penitentiary, and in such case the person or persons so appointed, in order to enable him or them to make such special report, shall have the powers given to the inspectors by the two sections next preceding.

DEPARTMENTAL STAFF.

Officers of penitentiary branch of Department of Justice.

26. The Governor in Council may appoint a parole officer, an accountant, an architect, and such other officers as are necessary, to perform the work in connection with the penitentiary branch of the Department of Justice, who shall be officers of the Department of Justice and perform such duties as the Minister directs.

OFFICERS.

Appointment of officers for each penitentiary.

27. The Governor in Council may appoint for any penitentiary a warden and a deputy warden who shall hold their offices during pleasure. The Minister may appoint, or authorize the appointment, of such other officers as may be necessary for the proper administration and police of any penitentiary.

Deduction from officer's salary.

2. The Minister may, for cause, authorize a deduction from the salary of any officer, not exceeding one month's pay.

Warden may suspend any of them.

3. The inspector may suspend any officer of a penitentiary, and the warden may suspend any officer of inferior rank, pending the decision of the Minister in each case.

As to pay in case of suspension.

4. The salary of any officer so suspended by the inspector or by the warden shall cease during the period of his suspension; but the Minister may direct payment of the same.

Powers and duties of the warden.

28. The warden of a penitentiary shall be the chief executive officer of the same; and as such shall have the entire executive control and management of all its concerns, subject to the rules and regulations duly established, and the written instructions of the inspector or of the Minister: and, in all cases not provided for, and where the said inspector cannot readily be consulted, the warden shall act in such manner as he deems most advantageous for the penitentiary; he shall be responsible for the faithful and efficient administration of the affairs of every department of the penitentiary, and he shall reside at the penitentiary.

Residence.

Absence, etc., of the warden and deputy.

2. In the absence or during the incapacity of the warden, the deputy warden shall exercise all the disciplinary powers and perform all the necessary duties of the warden; and in the absence or during the incapacity of the deputy warden, the chief keeper, or in his absence the senior keeper present, shall exercise all the disciplinary powers and perform all the duties of the deputy warden including the disciplinary powers and duties of the warden when he also is absent or incapacitated.

What officers to give bonds and sureties of office.

29. Every warden, deputy warden, accountant, storekeeper, steward, and every such other officer as is, from time to time, designated by the Minister, shall give and enter into a bond or bonds for the faithful performance of the duties of his office according to law, and in such sum, and with such sufficient surety or sureties, as the Minister approves of, and such bonds shall be filed in the office of the Secretary of State of Canada: Provided that the Minister may require that the security to be given in such cases, or in any such case, may be by bond or policy of a guarantee company, and may direct that the premiums payable upon such bonds or policies shall be paid by His Majesty.

Oaths of allegiance and office.

30. Every warden, and every other officer employed permanently in a penitentiary, shall severally take and subscribe, in a book to be kept for that purpose, the oath of allegiance to His Majesty, and an oath of office in the form following, that is to say:—

Form of oath of office.

"I (A. B.) do promise and swear that I will faithfully, dili-
"gently and justly serve and perform the duties assigned me
"as an officer in the penitentiary, to the best
"of my abilities; and that I will carefully observe and carry
"out all the regulations of the penitentiary. So help me God."

Before whom.

2. The inspector or any warden may, and they are hereby authorized to, administer such oaths.

Penalty if officer of Department

31. Any officer of the Department of Justice, or any warden, or other officer employed in a penitentiary, who, either in his

own name or in the name of, or in connection with any other person, provides, furnishes or supplies any materials, goods or provisions for the use of any penitentiary, or is concerned directly or indirectly in furnishing or supplying the same, or in any contract relating thereto, shall incur a penalty of five hundred dollars, recoverable, with costs, by any person who sues for the same in any court of competent jurisdiction. of Justice, inspector, warden, etc., acts as contractor.

32. No officer, on the permanent staff of a penitentiary, shall carry on any trade or calling of profit or emolument other than his employment in the penitentiary, except by consent of the Governor in Council; provided always that in cases where such exemption shall be granted a reduction of at least twenty per cent shall be made from the salary attached to the office or position held by such officer. Warden, etc., not to exercise any other calling.

33. The Minister shall fix the salary to be paid to each officer or employee; provided always that such salary shall not exceed that prescribed by schedule A. to this Act. Salaries fixed by Minister.

34. The Minister, instead of appointing a Protestant chaplain for any penitentiary, may direct that the clergymen of the different Protestant denominations represented in the community where a penitentiary is situate, shall be permitted to perform the duties of the Protestant chaplaincy in rotation, each in his turn taking three months, the assignment being under the direction of the warden, in which case the salary allowed for a Protestant chaplain shall be divided among the clergymen of the several denominations performing such duties in proportion to the time given to such duties by each. Protestant chaplaincy.

GRATUITIES.

35. To any officer— Gratuities or retiring allowances.

(*a.*) Whose conduct has been good, and who has been faithful in the discharge of his duties;

(*b.*) Who is compelled to retire from the service on account of some mental or physical infirmity which unfits him for the performance of his duty; or—

(*c.*) Who may be retired to promote efficiency or economy; and

(*d.*) Who is not entitled to a superannuation allowance under the rules in that behalf in force,—

A gratuity, or retiring allowance may be given, calculated at the rate of a half months salary for each year of his service, up to five years, and a month's salary for each year of service in excess of five years, based on the salary that such officer was in receipt of at the time of his retirement. Amount, how reckoned.

2. Such retiring allowance may be increased by one-half the amount thereof if the infirmity which compels such officer to retire from the service is occasioned by any injury received by him in the performance of his duty, without fault or negligence on his part, at the hands of any convict, or in preventing an escape or rescue, or in suppressing a revolt. Increase in certain cases.

3. If any officer dies in the service leaving a widow or any person who in his lifetime was dependent on him, a gratuity Gratuity to widow or dependent.

may be paid to such widow, if any, and if not, to any person or persons in the lifetime of such officer dependent on him, or to any person or corporation in trust for any such person or persons so dependent on him: Provided that no such gratuity shall exceed the amount of the salary of such officer—

(*a.*) for the two months next preceding his death, if he was appointed by the Governor in Council;

(*b.*) for the three months next preceding his death, if he was appointed by the Minister or the warden.

Increased gratuity in certain case.

4. Such gratuity may be increased by one-half the amount thereof if the death of such officer has been occasioned by any injury received by him, in the performance of his duty, without fault or negligence on his part, at the hands of any convict, or in preventing an escape or rescue, or in suppressing a revolt.

Gratuity to retiring officer who enters Civil Service.

5. The eligibility of any officer to be paid such a gratuity shall not be affected by his promotion heretofore or hereafter to an office which makes him a member of the Civil Service, as defined for the purpose of The Civil Service Superannuation Act and the Civil Service Retirement Act, 1898, or by his having otherwise become or becoming a member of the Civil Service as so defined; but such officer, upon retirement from the service, under circumstances which would have rendered him eligible for a gratuity, may be paid a gratuity based upon his services up to the date of such promotion or of his becoming a member of the Civil Service as aforesaid, in addition to any superannuation allowance or gratuity or other payment or benefit for which he may be eligible or to which he may be entitled under the said Acts or either of them.

PERQUISITES.

Perquisites forbidden except in cases specified.

36. No officer shall be allowed any perquisite except as follows:—

(*a.*) Any officer whose duties require him, and who is directed by the Minister, toreside on the penitentiary reserve may, during the will of the Minister, occupy free of rent any house or quarters, with any grounds attached which forms part of the penitentiary property;

(*b.*) Wardens and deputy wardens shall be entitled to free residence or quarters, and to such allowance of heat and light as the Minister deems necessary therefor;

(*c.*) The ornamental grounds attached to the residence or quarters of a warden or deputy warden may be kept in order and cultivated by convict labour, but otherwise no convict labour shall be employed in keeping in order or cultivating any grounds occupied by an officer;

(*d.*) Any officer may be allowed such uniform as the inspector, with the concurrence of the Minister, prescribes.

PENITENTIARY PROPERTY, CONTRACTS, ETC.

Warden to be a corporation sole.

37. The warden shall be a corporation sole known by the name of "The Warden of the Penitentiary," (designating the place as named in this Act, or named in the proclamation establishing it as a penitentiary), and by that name he and his successors shall have perpetual succession and may sue and be sued, and may plead and be pleaded unto, in any of His Majesty's courts.

38. All dealings and transactions on account of any penitentiary, and all contracts for goods, wares or merchandise necessary for maintaining and carrying on the penitentiary, or for the sale of goods prepared or manufactured in the penitentiary, shall be entered into and carried out in the corporate name of the warden; and all personal property belonging to the penitentiary shall be held, in the corporate name of the warden, for His Majesty. Contracts, dealings, personal property, etc, be in his name.

39. The real property of every penitentiary, as well as all books, records and other property belonging, shall be vested in His Majesty; but the warden and his successors in office shall have the custody and care thereof under the provisions of this Act. Real property how vested and managed.

40. Whenever any difference arises, between the warden and any person having dealings with him on account of the penitentiary, such difference may, by order of the inspector and with the consent of such person, be referred either to one arbitrator, selected by the warden and such person, or to three arbitrators,—one of whom shall be named by the warden, and another by such other person, and a third by the two so named as aforesaid; and in the one case, the award of the arbitrator, and, in the other case, of any two of the arbitrators, shall be final. Arbitration in case of difference between warden and contractors, etc.

41. The warden of a penitentiary shall exercise due diligence in enforcing the payment of debts due to the penitentiary, and with as little expense as possible; and, on the report of the inspector, approved by the Minister, he may accept of such security from any debtor on granting time, or such composition in full settlement, as is thought conducive to the interests of the penitentiary. Warden to collect debts to penitentiary.

PRIVILEGED VISITORS.

42. The following persons, other than the inspector or persons specially appointed by the Minister may visit any penitentiary during business hours, that is to say,—the Governor General of Canada, the Lieutenant Governor of any province of Canada, any member of the King's Privy Council for Canada, any member of the Executive Council of any of the said provinces, any member of the Parliament of Canada, any judge of any court of record in Canada or in any of the said provinces; but no other person shall be permitted to enter within the walls wherein the prisoners are confined, except by the special permission of the warden, and under such regulations as the inspector prescribes. Who shall have the right of visiting.

CONVEYANCE, RECEIPT AND REMOVAL OF CONVICTS.

43. The sheriff or deputy sheriff of any county or district, or any bailiff, constable, or other officer, or other person, by his direction or by the direction of a court, or any officer appointed by the Governor in Council and attached to the staff of a penitentiary for that purpose, may convey to the penitentiary named in the sentence, any convict sentenced or liable to be imprisoned therein, and shall deliver him to the warden thereof, without What shall be sufficient authority for conveying convicts to penitentiary.

any further warrant than a copy of the sentence taken from the minutes of the court before which the convict was tried, and certified by a judge or by the clerk or acting clerk of such court.

When brought from any other penitentiary or jail.

44. Whenever a prisoner is ordered, by competent authority, to be conveyed to any penitentiary from any other penitentiary, or from a reformatory prison, or from a jail, there shall be delivered to the warden of the penitentiary receiving such prisoner, together with all other necessary documents, a certificate signed by the medical officer of the institution from which such prisoner has been taken, and countersigned by the official in charge of the penitentiary, reformatory or jail from which such prisoner has been taken, declaring that such prisoner is free from any putrid, infectious or contagious disease, and that he is fit to be removed.

Duty of warden as to receiving and detaining convicts.

45. The warden shall receive into the penitentiary every convict legally certified to him as sentenced to imprisonment therein, unless certified by the surgeon of the penitentiary to be suffering from any dangerously infectious or contagious disease, and shall there detain him, subject to the rules, regulations and discipline thereof, until the term for which he has been sentenced is completed, or until he is otherwise legally discharged.

Removal from one penitentiary to another.

46. The Minister may, by warrant under his hand, direct the removal of any convict from any one penitentiary to another, or from one territorial jail to another; and the warden or jailer having the custody of any convict so ordered to be removed,

Proceedings in such case.

when required so to do, shall deliver up the said convict to the constable or other officer or person who produces the said warrant, together with a copy, attested by the said warden or jailer of the sentence and date of conviction of such convict as given to him on reception of such convict into his custody; and the constable or other officer or person shall give a receipt to the warden or jailer for the convict, and shall thereupon, with all convenient dispatch, convey and deliver up such convict, with the said attested copy, into the custody of the warden or jailer mentioned in the warrant, who shall give a receipt in writing for every convict so received into his custody, to such constable or other officer or person, as his discharge; and the convict shall be kept in custody in the penitentiary or jail to which he is so removed, until his removal to another penitentiary or jail or until the termination of his sentence, or until his discharge by law.

Detention of convict.

Custody of convict from time of sentence.

2. For the purposes of this section any convict sentenced to be imprisoned in any penitentiary shall be deemed to be in the custody of the warden of that penitentiary immediately upon such sentence; and the sheriff or other officer in whose custody he then is shall, upon receiving a receipt therefor, deliver up the said convict, together with a copy of the sentence taken from the minutes of the court and certified by a judge or by the clerk or acting clerk thereof, to any constable or other officer or person who produces a warrant under this section for the removal of such convict from such penitentiary to any other penitentiary, and the like action shall thereupon be had and taken as in other cases under this section.

Removal of convicts in North-west Territories.

3. Any convict confined in a jail in the North-west Territories or in the custody of the Royal North-west Mounted Police under sentence of imprisonment for a term of two years or longer, may be removed to a penitentiary, or if the sentence is for less than two years, to a territorial jail, in the same manner as, under subsection 1 of this section a convict may be removed from one penitentiary to another; the sheriff or other person in charge of such jail, or the officer in command of the Royal North-west Mounted Police at the post where such convict is in custody, being substituted in the application of the said subsection to such cases for the warden of the penitentiary from which a convict is removed.

Powers of sheriff or officer conveying convicts to a penitentiary.

47. The sheriff, or other officer or person employed by competent authority to convey any convict to any penitentiary to which such convict is ordered to be taken, either by sentence of a court or by order of the Secretary of State or of the Minister of Justice, as in the next preceding section mentioned, may secure and convey him through any county or district through which he has to pass in any of the provinces of Canada; and until the convict has been delivered to the warden of such penitentiary, such sheriff, officer or person shall, in all territorial divisions or parts of Canada through which it may be necessary to convey such convict, have the same authority and power over and with regard to such convict, and to command the assistance of any person in preventing his escape, or in recapturing him in case of an escape, as the sheriff of the territorial division in which he was convicted would himself, have in conveying him from one part of that division to another.

Powers to convey a convict whose sentence of death has been commuted, and effect of commutation.

48. If sentence of death has been passed upon any convict by any court in Canada, and the Governor General, on behalf of His Majesty, has been pleased to commute such sentence to imprisonment for life, or for any term of years, such commutation shall have the same effect as the judgment of a competent court legally sentencing such convict to such imprisonment for life or other term, and the sheriff, or other officer, or other person having such convict in custody, on receipt of a letter from the Secretary of State notifying him of the fact of such commutation, and directing him to convey such convict to a penitentiary therein named, shall forthwith convey such convict thereto, and shall have the same rights and powers, in conveying such convict to such penitentiary, as if the conveyance took place by virtue of the sentence of a competent court.

What shall be sufficient authority to warden in such case.

49. A letter signed by the Secretary of State notifying the warden of the fact of the commutation of any sentence of death to imprisonment for life or for a term of years, and of the term of years or life term to which the sentence has been commuted, shall be sufficient authority to the warden to receive such convict into the penitentiary, and to deal with him as if he had been sentenced by a competent court to confinement therein for the period or life term in the said letter mentioned; and it shall not be necessary, for the purpose of commuting such sentence, or of authorizing the conveyance of a prisoner to any penitentiary, or for his reception and detention therein for the term to which such sen-

tence is commuted, that the warden should have in his possession a copy of any pardon.

TRANSFER OF JUVENILE OFFENDERS FROM AND TO REFORMATORY PRISONS.

Juvenile offenders found incorrigible may be removed from reformatory to penitentiary.

50. If a juvenile offender has been ordered by competent authority to be imprisoned in any reformatory prison, and after being imprisoned therein has become incorrigible, and is so certified by the superintendent of such reformatory prison, the Lieutenant Governor of the province in which the reformatory prison is situated, by a warrant under his hand, addressed to the superintendent of such reformatory prison, setting forth the sentence or order under which the juvenile offender was imprisoned therein, and the fact that he is incorrigible, may direct that such juvenile offender be removed to any penitentiary named in the said warrant; and any officer of the prison, or any other person authorized by the superintendent, shall have the same powers in conveying such juvenile offenders to such penitentiary as are hereinbefore given to a sheriff or other person in like cases.

And dealt with as if sentenced to the penitentiary.

2. The warden of the penitentiary therein named shall receive such juvenile offender and deal with him for the unexpired term of the sentence or order under which he was ordered to be imprisoned in such reformatory prison, as if he had been sentenced to such penitentiary by a competent court: Provided, that together with the said offender, a copy of the said sentence or order, attested by the superintendent of the reformatory prison, and also an order from the Lieutenant Governor directing the warden of such penitentiary to receive such juvenile offender, shall be delivered to the warden of the penitentiary.

Copy of sentence or order to be delivered.

Juvenile offenders in penitentiary may be transferred to reformatory prison.

51. The Minister may, at any time, in his discretion, by warrant under his hand, cause any convict in a penitentiary, and who appears to the inspector to be under sixteen years of age, and susceptible of reformation, to be transferred, for the remainder of his term of imprisonment, to the reformatory prison, if there is one, of the province where such convict was sentenced.

CONVICTS INSANE WHEN RECEIVED AT PENITENTIARY.

Removal of insane convicts, by warrant of Minister, to other place of confinement.

52. If at any time within three months after the receipt at a penitentiary of any convict sentenced to imprisonment therein, it be established to the satisfaction of the Minister, either by the written certificate of the surgeon of such penitentiary or otherwise, that the convict is insane and was insane at the time when he was received at the penitentiary, the Minister may, after giving reasonable notice of his intention to the Attorney General of the province within which such insane convict was convicted, by warrant under his hand, direct the removal of such insane convict from the penitentiary to the jail or other place of confinement from which such insane convict came to the penitentiary, and such warrant shall be sufficient authority to the warden or any other officer of the penitentiary to remove such insane convict from the penitentiary to such jail or places of confinement and there to deliver him to the keeper thereof.

OTHER INSANE CONVICTS: HOW DEALT WITH.

Penitentiary insane ward.

53. The Minister may direct the warden of any penitentiary to set apart a portion thereof for the reception, confinement and treatment of insane convicts; and the portion so set apart shall be used for such purposes accordingly, and shall be known as the ward for the insane.

Surgeons to report cases of insanity among convicts.

54. If at any time it appears to a surgeon of a penitentiary that any convict confined therein is insane and ought to be removed to the ward for the insane, he shall report the same in writing to the warden with a view to the removal of such convict to the ward for the insane.

If insane convict becomes sane.

2. If the surgeon shall at any time thereafter certify to the warden that such convict has recovered his reason, and is in a fit state to be removed from the ward for the insane, the warden shall remove such convict therefrom.

Report in order to removal of insane convict.

55. When a surgeon of a penitentiary reports in writing to the warden that any convict confined in such penitentiary is insane, and ought to be removed to an asylum for the insane, the warden shall report the facts to the inspector.

Minister may order removal.

2. The Minister may thereupon, if an arrangement exists with the Lieutenant Governor of any province for the maintenance of such convict in an asylum for the insane of the province, by warrant under his hand, direct the removal of such insane convict to the custody of the official in charge of such asylum, for the unexpired portion of his sentence; and the warden of the penitentiary, when required so to do, shall deliver up to the constable or other officer or person who produces such warrant, the insane convict, together with a copy, attested by the warden, of the sentence and date of his conviction, as given to the warden on reception of the convict into his custody; and the constable or other officer or person shall give a receipt therefor, and shall thereupon, with all convenient despatch, convey and deliver up such convict, with such attested copy, into the custody of the official in charge of such asylum, who shall give a receipt therefor; and the convict shall be kept in custody in such asylum under his sentence, until the expiration or sooner determination thereof, or until his removal elsewhere under the provisions of this Act, or his discharge by law.

Removal of recovered convict from asylum to penitentiary.

3. If, before the expiration of his sentence, any convict so detained in an asylum recovers his reason, and such recovery is certified to by the surgeon or medical officer in charge of such asylum, the Minister may in like manner direct the removal of such convict from such asylum to the penitentiary from which he came, or to some other penitentiary; and thereupon such convict may in like manner be removed and delivered again to the warden of such penitentiary, where he shall be kept in custody under his sentence.

If insane when term expires.

56. If the term of imprisonment of any convict expires, or is determined by remission of sentence or otherwise, while such convict is detained as insane in the ward for the insane, he may continue to be detained therein pending the proceedings authorized by this Act; and in such case the surgeon shall forthwith certify to the warden that the convict is insane.

Discharge, if not insane.

2. If the surgeon certifies that such convict is not insane, he shall be forthwith discharged.

Report in order to removal of insane convict.

57. If the surgeon certifies that the person is insane, the warden shall report the fact to the inspector; and the Minister shall thereupon communicate the fact to the Lieutenant Governor of the province within which the person was sentenced, so that he may be removed to a place of safe keeping.

Lt.-Governor may order removal

2. The Lieutenant Governor may, thereupon order the removal of the person to a place of safe keeping within the province, and he shall, upon such order, be delivered to the person therein designated, for transport to such place, and he shall remain and be detained there or in such other place of safe keeping as the Lieutenant Governor, from time to time, orders, until it appears to the Lieutenant Governor that he is of sound mind, when the Lieutenant Governor may order him to be discharged; but if, at any time after his removal to such place of safe keeping, and before his complete recovery, the Lieutenant-Governor thinks fit to order that he shall be given up to any person by him named, he shall be given up accordingly.

Further powers of Lt.-Governor.

Provision if arrangements have been made for safe keeping of convict in Ontario.

58. If the Lieutenant Governor of the province within which any such person was sentenced has made arrangements with the Lieutenant-Governor of the province of Ontario for the safe keeping of any such person in Ontario, and such arrangements have been communicated to the Minister by the Lieutenant Governors of the provinces concerned, the Minister shall, in the case of any such person, communicate, under the next preceding section, with the Lieutenant-Governor of Ontario, who shall, in such cases, have all the powers thereby given.

Provision if Lt.-Governor does not provide for removal.

2. If the Lieutenant Governor does not, within one month after the Minister has communicated, as provided by the next preceding section, cause the person to be removed under the provisions thereof, the Minister may direct the convict to be removed for safe keeping to the jail in which he was last confined previous to his transfer to the penitentiary, or to any other jail in the province within which he was sentenced; and, after such removal, all the provisions of the next preceding section shall apply to this case.

Question of sanity, how decided.

59. If any question arises as to the sanity of any convict, the Minister may order an inquiry and report to be made by one or more medical men, in conjunction with the surgeon, and may, upon such report direct such action as he deems necessary to carry out the provisions of this Act.

TREATMENT OF CONVICTS.

General rules.

60. The following general rules shall be observed in the treatment of convicts in a penitentiary:—

Clothing.

(*a.*) Every convict shall, during the term of his confinement, be clothed, at the expense of the penitentiary, in suitable prison garments;

Food.

(*b.*) He shall be supplied with a sufficient quantity of wholesome food;

Bedding.

(*c.*) He shall be provided with a bed and sufficient covering, varied according to the season; and—

(*d.*) He shall, except in case of sickness, be kept in a cell by himself at night. Solitary confinement.

61. Every convict, except during sickness or other incapacity, shall be kept constantly at hard labour during at least ten hours, if possible, exclusive of hours for meals, of every day, except Sunday, Good Friday, Christmas Day, and such other days as the Governor General sets apart for days of fasting or thanksgiving, and such days as are designated in the rules made by the inspector in that behalf; and the warden shall determine the kind of such labour; but no convict shall be compelled to labour on any obligatory holiday of the religious denomination to which he adheres. Hard labour. Holidays. As to religious obligatory holidays.

2. The convicts may be employed in labour under the control of the Crown; but no labour shall be let out to any company or person. Labour of convicts not to be let out.

FEMALE CONVICTS.

62. The female convicts shall be kept in a separate ward secluded from the male convicts, and shall be under the charge of a matron, with such and so many female officers as the Minister orders to be employed. Female convicts to be kept separate, and under female officers.

SHORTENING OF SENTENCE.

63. The inspector, subject to the approval of the Minister, may make regulations, under which a record may be kept of the daily conduct of every convict in any penitentiary, noting his industry, and the strictness with which he observes the prison rules, with a view to permit such convict to earn a remission of a portion of the time for which he is sentenced to be confined, not exceeding six days for every month during which he is exemplary in conduct and industry. Rules as to rewards for good conduct and diligence. Remission of time within a certain limit.

2. When any convict has earned and has at his credit seventy-two days of remission, he may be allowed, for every subsequent month during which his conduct and industry continue satisfactory, ten days' remission for every month thereafter; Provision for increased rates of remission.

3. If any convict by reason of sickness or any other infirmity, not intentionally produced by himself, is unable to labour, he shall be entitled, by good conduct, to such portion of the remission, from his sentence, to which he would otherwise be entitled, as the warden, with the concurrence of the Minister, deems proper. Remission in case of sickness.

4. Any convict who escapes, attempts to escape, breaks prison, attempts to break prison, breaks out of his cell, or makes any breach therein with intent to escape, or assaults any officer or servant of the penitentiary or being a holder of a license under the Act for the conditional liberation of convicts, forfeits such license, shall forfeit the whole of such remission which he has earned. Forfeiture for certain offences.

PRISON OFFENCES.

64. The inspector shall draw up a list of prison offences, and such list shall be printed, and a copy of the same placed in each cell of the penitentiary. List of prison offences to be posted up.

OFFENCES.

Conveying forbidden articles to or from convicts; improper employment of convicts.

65. Any officer or servant of any penitentiary, or territorial jail, or other person who—

(*a.*) gives or in any way conveys to any convict any article or thing not allowed by the rules of the penitentiary or jail to be so given or conveyed; or

(*b.*) leaves any such article anywhere with intent that any convict shall get the same; or

(*c.*) does any other act with intent that any convict shall get any such article; or

(*d.*) takes or receives or carries out from any convict, for any purpose any article not allowed by the rules of the penitentiary or jail, to be so taken, received or carried out; or

(*e.*) buys from or sells to, or for, any convict anything whatsoever; or

(*f.*) takes or receives for his own use, or for that of any other person, any fee or gratuity from any convict or visitor; or

(*g.*) without proper authority employs any convict in work for the personal benefit of himself or any other person; or

(*h.*) endeavours to do or knowingly allows to be done any of the acts above mentioned,

[shall, on summary conviction, be liable to a penalty not exceeding one hundred dollars, or imprisonment with hard labour for a term not exceeding three months.

Misapplication of transportation money by discharged convict.

66. Any convict who is furnished with money or with tickets for transportation in pursuance of the provisions of subsection 4 of section 70 and who uses the same for any other than the purpose intended is guilty of an offence and liable, on summary conviction, to imprisonment for a term not exceeding three months.

TRESPASSES.

Punishment of persons trespassing on penitentiary grounds.

67. Any person who is found trespassing upon any grounds, buildings, yards, offices or other premises whatsoever, belonging or appertaining to any penitentiary, or territorial jail, or who enters the same, or who may be found loitering upon the street or highway adjacent thereto, not being an officer or servant of the penitentiary or jail, or authorized by the warden or jailer, shall, on summary conviction for a first offence, be liable to a penalty not exceeding ten dollars, and in default of payment to imprisonment, with or without hard labour, for a term not exceeding one month; and for a subsequent offence, to a penalty not exceeding fifty dollars, and in default of payment to imprisonment with or without hard labour, for a term not exceeding three months.

Subsequent offence.

Penalty if vessels are moored within 300 feet of shore or wharf bounding penitentiary.

68. Any person who moors or anchors, or causes to be moored or anchored, any raft, boat, vessel or craft of any kind within three hundred feet of the shore or wharf bounding the lands of any penitentiary towards any lake, arm of the sea, bay or river, without the permission of the warden of such penitiary shall on summary conviction be liable to a penalty of twenty dollars or in default of payment of such penalty and

costs, to imprisonment with hard labour, for a term not exceeding two months, or to both; and the amount of such penalty may be levied upon such raft, boat, vessel or craft, in whomsoever the property thereof may be, as well as on the offender's own goods and chattels.

Warden *ex officio* justice of the peace. Keeper *ex officio* a constable.

69. With respect to any offence or charge of an offence under sections 65, 66, 67 or 68, and for all purposes in connection with any such offence or charge, the warden of the penitentiary shall *ex officio* be, and have the powers and authority of, a justice of the peace, and each and every keeper and guard of the penitentiary shall *ex officio* be, and have the powers and authority of, a constable.

DISCHARGE OF CONVICTS.

Discharge of convicts at certain times and under certain circumstances.

70. No convict, upon the termination of his sentence, or otherwise, shall be discharged from a penitentiary during the month of December, January or February, unless at his own request, but may remain in the penitentiary until the first day of March following the termination of his sentence; and no convict who, at the expiration of his sentence, is found to be suffering from any acute, dangerous, contagious or infectious disease shall be discharged unless and until in the opinion of the warden such discharge may safely be made; provided that a convict remaining from any cause in a penitentiary after the termination of his sentence, shall be under the same discipline and control as if his sentence were still unexpired.

Orders of discharge of convicts in March.

2. On the first day of March a list shall be made of all the prisoners whose sentences have expired during the three preceding months, and who are still in prison, according to the dates when their sentences expired; and according to such order they shall be discharged, one convict on the said first day of March, and one on every day thereafter, until the whole are discharged.

Sentence expiring on Sunday.

3. Whenever the term of any prisoner's sentence expires on a Sunday, or a statutory holiday, he shall be discharged on the day preceding, unless he desires to remain until the day following.

Clothing and money to convicts discharged.

4. Every convict under sentence for a term not less than two years, shall upon his discharge or release, either by expiration of sentence, conditional liberation, or otherwise, be furnished, at the expense of the penitentiary, with a suit of clothing other than prison clothing, and with transportation to the place at which he received his sentence, and such other sum in addition, not exceeding ten dollars, as the warden deems proper; but if the warden is of opinion that a convict, on being discharged, does not intend to return to the place at which he received his sentence, but intends to go to some other place nearer to the penitentiary, such convict shall be furnished with transportation to such nearer place, and not to the place at which he received his sentence.

As to convict not returning to place of conviction.

Transportation expenses; ensurance of convict's departure.

5. Every convict who is furnished, pursuant to subsection 4 of this section, with money for the payment of travelling expenses, or with a ticket or tickets for transportation, shall be deemed to be in the custody of the warden until his departure

by railway or other means of transportation for his destination, and it shall be the duty of the warden to take such action as may be necessary to ensure such departure.

CONVICTS' EFFECTS.

Articles found on convict on entry to be kept for him.

71. Every article found upon the person of a convict at the time of his reception into the penitentiary, shall be taken from him, and a description of every article which is considered by the warden to be worth preservation, shall be entered in a book kept for that purpose; and if the convict does not see fit otherwise to dispose of it at the time, it shall be carefully put away until the day of his discharge, when it shall be delivered up to him again in the state in which it then is; but the warden shall not be be liable for any deterioration which takes place in such article in the interval.

May be sold if he desires to dispose of them.

2. If, at the time of his reception, the convict desires to dispose of any such article, and it is so disposed of, a memorandum of the fact shall be noted in the said book, and signed by the proper officer who has charge thereof, and also by the convict; and any money received therefor shall be placed to his credit.

CONVICTS' LETTERS, ETC.

Convicts' letters.

72. The warden of a penitentiary, or any officer thereof deputed by him for the purpose, may—

(*a*) open and examine any letter, parcel or mail matter received at the penitentiary, through the mail or otherwise, addressed to or intended for any convict;

(*b*) open and examine any letter, parcel or mail matter which any convict desires to have sent out by mail or otherwise;

(*c*) withhold from a convict any such letter, parcel or mail matter addressed to him or intended for him, or destroy it, or otherwise deal with it as required or authorized by the rules and regulations;

(*d*) detain or destroy, or remove or obliterate objectionable contents of, or otherwise deal with, any letter, parcel or mail matter which a convict desires to have sent out from the penitentiary.

CORONERS' INQUESTS.

Coroner to hold inquest in certain cases.

73. If a convict dies in a penitentiary, and the inspector, warden or surgeon has reason to believe that the death of such convict may have arisen from any other than ordinary causes, he shall call upon a coroner having jurisdiction to hold an inquest upon the body of such deceased convict; and upon such requisition by one or more of the officers above named, the said coroner shall hold such inquest, and, for that purpose, he, and all other persons necessarily attending such inquest, shall have admittance to the prison.

Admittance of coroner and jury.

DECEASED CONVICTS.

How the body of convict shall

74. The body of every convict who dies in a penitentiary shall, if claimed by his relatives, be given up to and shall be taken

away by them; but if not so claimed, the body may be delivered to an inspector of anatomy, duly appointed under any Act authorizing such appointment, or to the professor of anatomy in any college wherein medical science is taught; or if not so delivered, shall be decently interred at the expense of the penitentiary. Bodies may be disposed of.

75. The Acts mentioned in schedule B to this Act are hereby repealed. Repeal.

SCHEDULE A.

KINGSTON PENITENTIARY—	
Warden (with free quarters, heated and lighted)	$ 2,600 00
Deputy warden (with free quarters, heated and lighted)	1,500 00
Matron (with free quarters, heated and lighted)	600 00
Deputy matron (with free quarters, heated and lighted)	450 00
Protestant chaplain	1,200 00
Roman Catholic chaplain	1,200 00
Surgeon and medical superintendent of the asylum for the insane	2,400, 00
Accountant and clerk of cordage industry	1,700 00
Warden's clerk	900 00
Storekeeper	1,000 00
Assistant storekeeper	700 00
Steward and baker	1,000 00
Assistant steward	700 00
Hospital overseer and school instructor	900 00
Assistant hospital overseer and school instructor	700 00
Messenger	600 00
Engineer	1,200 00
Electrician	900 00
Assistant electrician	700 00
Firemen	600 00
Superintendent of cordage industry	1,200 00
Chief trade instructor	1,000 00
Trade instructors	800 00
Chief keeper	1,000 00
Chief watchman	800 00
Gate keeper and armourer	700 00
Keepers	700 00
Watchmen	650 00
Guards	600 00
Stable guards	600 00
Temporary guards	500 00
ST. VINCENT DE PAUL PENITENTIARY—	
Warden (with free quarters ,heated and lighted)	$ 2,400 00
Deputy warden (with free quarters, heated and lighted)	1,500 00
Roman Catholic chaplain	1,200 00

ST. VINCENT DE PAUL PENITENTIARY—*Concluded.*

Protestant chaplain	1,200 00
Surgeon	1,600 00
Accountant	1,400 00
Warden's clerk and French school instructor	1,000 00
Hospital overseer and English school instructor	900 00
Storekeeper	900 00
Assistant storekeeper	700 00
Steward and baker	1,000 00
Assistant steward	700 00
Messenger	600 00
Engineer	1,000 00
Electrician	800 00
Firemen	600 00
Chief trade instructor	1,000 00
Trade instructors	800 00
Chief keeper	1,000 00
Chief watchman	800 00
Gate keeper and armourer	700 00
Keepers	700 00
Watchmen	650 00
Guards	600 00
Stable guards	600 00
Temporary guards	500 00

DORCHESTER PENITENTIARY—

Warden (with free quarters, heated and lighted)	$ 2,200 00
Deputy warden (with free quarters, heated and lighted)	1,500 00
Matron (with free quarters, heated and lighted)	600 00
Deputy matron (with free quarters, heated and lighted)	450 00
Protestant chaplain	1,000 00
Roman Catholic chaplain	1,000 00
Surgeon	1,500 00
Accountant	1,200 00
Storekeeper and warden's clerk	800 00
Steward and baker	900 00
Hospital overseer and school instructor	900 00
Messenger	600 00
Engineer	1,000 00
Firemen	600 00
Chief trade instructor	1,000 00
Trade instructors	800 00
Chief keeper	900 00
Chief watchman	800 00
Keepers	700 00
Watchmen	650 00
Guards	600 00
Stable guards	600 00
Temporary guards	500 00

MANITOBA PENITENTIARY—

Warden (with free quarters heated and lighted)	$ 2,200 00
Deputy warden (with free quarters heated and lighted)	1,500 00
Roman Catholic chaplain	1,000 00

MANITOBA PENITENTIARY—*Concluded.*

Protestant chaplain	1,000 00
Surgeon	1,500 00
Accountant	1,200 00
Storekeeper and warden's clerk	900 00
Steward and baker	900 00
Hospital overseer and school instructor	900 00
Engineer and blacksmith instructor	1,000 00
Chief trade instructor	1,000 00
Trade instructors	800 00
Keepers	800 00
Guards	700 00
Chief watchmen	900 00
Watchman	750 00
Temporary guards	600 00

BRITISH COLUMBIA PENITENTIARY—

Warden (with free quarters heated and lighted)	$ 2,200 00
Deputy warden (with free quarters heated and lighted)	1,500 00
Protestant chaplain	1,000 00
Roman Catholic chaplain	1,000 00
Surgeon	1,500 00
Accountant	1,200 00
Storekeeper	900 00
Steward and baker	900 00
Hospital overseer and school instructor	900 00
Engineer and blacksmith instructor	1,000 00
Chief trade instructor	1,000 00
Trade instructors	800 00
Keepers	800 00
Guards	700 00
Chief watchman	900 00
Watchmen	750 00
Temporary guards	600 00

ALBERTA PENITENTIARY—

Warden (with free quarters heated and lighted)	$ 2,200 00
Deputy warden (with free quarters heated and lighted)	1,500 00
Matron (with free quarters heated and lighted)	500 00
Protestant chaplain	1,000 00
Roman Catholic chaplain	1,000 00
Surgeon	1,500 00
Accountant and storekeeper	1,200 00
Steward and baker	900 00
Hospital overseer and school instructor	900 00
Engineer and blacksmith instructor	1,000 00
Chief trade instructor	1,000 00
Trade instructors	800 00
Keepers	800 00
Guards	700 00
Chief watchman	900 00
Watchmen	750 00
Temporary guards	600 00

SCHEDULE B.

R.S.C., c. 182 ; 1887, c. 52 ; 1895, cc. 41 and 42 ; 1898, c. 6, s. 18 ; 1899, c. 48 ; 1900, c. 47 ; 1901, c. 43.

No. 176.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting Penitentiaries.

First reading, May 29, 1906.

MR. FITZPATRICK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 177.] **BILL.** [1906.

An Act to make further provision respecting grants of land to members of the Militia Force on active service in the North-west.

Preamble.

WHEREAS under the authority of chapter 73 of the statutes of 1885, military bounty warrants, each for a free homestead of two adjoining quarter sections of Dominion lands, have been issued for service in connection with the Indian and half-breed outbreak of 1885; and whereas the right to such homestead was made subject to the condition that the two quarter-sections should be selected and entered in the manner and within the time prescribed by the said Act, which time was by subsequent Acts duly extended to the thirty-first day of December, one thousand nine hundred; and whereas there are still outstanding a small number of such warrants in respect of which the said condition has not been performed, and it is deemed just and expedient that the grantees, or their duly appointed substitutes, should have a further opportunity of availing themselves of the full benefit of the bounty intended by the said Act of 1885: Therefore His Majesty, by and with the advice and consent of of the Senate and House of Commons of Canada, enacts as follows:—

1885, c. 73; 1886, c. 29; 1891, c. 13; 1892, c. 6; 1893, c. 3; 1894, c. 24; 1898, c. 13; 1900, c. 17.

Power to make entry in cases where warrants have already been issued.

1. Notwithstanding the time limited by chapter 17 of the statutes of 1900, any person who was granted any such military bounty warrant under the authority of the said Act of 1885, and within the times limited by the said subsequent Acts, and whose warrant is still outstanding and unsatisfied, or the substitute of such person, duly appointed and duly qualified, shall be entitled to obtain free of charge and subject to the law governing ordinary homestead entries, an entry for a homestead of two adjoining quarter-sections of Dominion lands of the class open to homestead entry and to receive letters patent therefor upon proving to the satisfaction of the Commissioner of Dominion Lands that the homestead conditions prescribed by the Dominion Lands Act in the case of an ordinary homestead have been complied with: Provided that such entry is made and obtained on or before the thirty-first day of December one thousand nine hundred and eight.

Time limited.

No. 177.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to make further provision respecting grants of land to members of the Militia Force on active service in the North-west.

First reading, May 30, 1906.

Mr. Oliver.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 183.] **BILL.** [1906.

An Act to incorporate the Twelve Mile Power Company, Limited.

Preamble.

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

Incorporation.

1. Lucien Stevens Robe, Frank James Stackpoole and Herbert George Wilson, all of the city of Dawson, in the Yukon Territory, together with such persons as become shareholders in the company, are incorporated under the name of "The Twelve Mile Power Company, Limited," hereinafter called "the Company."

Corporate name.

Declaratory.

2. The works authorized by this Act are declared to be works for the general advantage of Canada.

Provisional directors.

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

Capital stock.

4. The capital stock of the Company shall be five hundred thousand dollars.

Head office.

5. The head office of the Company shall be at the city of Dawson, in the Yukon Territory.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the first Monday in June in each year, or at such other date as may be fixed by by-law of the Company.

Directors.

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

Aliens may be shareholders and directors.

8. Aliens and foreign corporations may, equally with British subjects, become shareholders in the Company, and may vote upon their shares, No person shall be elected a director unless he is a shareholder owning stock absolutely in his own right and is not in arrear in respect of any call thereon; and aliens shall have the same rights as British subjects of being directors, but the majority of the directors shall be residents of Canada.

Motive power.

9. The Company may acquire lands and erect, use and manage works, machinery and plant for the generation, transmission and distribution of electric and other power and energy.

Water and steam power.

10. The Company may acquire and utilize water and steam power for the purpose of compressing air or generating electricity, and may sell, dispose of and distribute the same either as water-power or other power or by converting it into electricity

Electricity.

or other force for any purpose for which electricity or other power can be used.

Acquisition of business and property within objects of Company.

11. The Company may purchase or otherwise acquire any business within the objects of the Company, and any lands, property, privileges, water-powers, rights, contracts and liabilities appertaining thereto, and may let or sublet any property of the Company, and may sell or otherwise dispose of the business, property or undertaking of the Company, or any part thereof, for such considerations as the Company thinks fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of the Company.

Occupation of Crown lands.

12. The Company may enter upon, occupy and use in any way Crown lands which may be found necessary for the construction of its undertaking: Provided that the right of way to be taken by the Company shall not exceed one hundred feet in width except where a larger amount is required for power houses, stations and grounds for the storage of water.

Hydraulic and electric power.

13. The Company may supply hydraulic, electric or other power by means of cables, machinery or other appliances, and at such rates and upon such conditions as are agreed upon,

Wires.

and may carry one or more wires for electric power or other purpose, and connect them with the wires of any other company, for the purpose of enabling the Company to furnish and guarantee continuous power for the uses proposed to be served by the Company, and may contract with such other company to work the said electric or other power jointly, or may acquire any existing contract of such character.

Dams on Chandindu river.

14. The Company may at or near a point about one mile from the mouth of the Chandindu (or Twelve Mile) River, a stream entering the Yukon River on the Right Limit, and situate about eighteen miles below the city of Dawson, locate, erect and maintain dams, with the right of flowage, for the purposes of holding reserves of water in the said Chandindu

Proviso.

River: Provided that in the construction of such dams openings with the necessary slides and gates sufficient for the safe transmission of square timber, saw-logs, or loose lumber shall be maintained free of charge for the use of all persons who desire to transmit square timber, saw-logs or loose lumber, and the Company shall be liable to pay damages to any owners of property injured by any overflowing of the waters of the said river caused by the said dams.

Ditches, flumes and pile lines on Chandindu river.

15. The Company may locate, construct, and maintain ditches, flumes and pile lines from, at, or near the points on the said river at which it shall divert water, from such points along the valley of the said river to a point on the Yukon River at

which the production works of the Company may be constructed and maintained.

Electric tramways on Yukon river.

16. The Company may lay out, construct and operate single or double lines of electrical tramway or both on the west side of the Yukon River from a point opposite the city of Dawson to a point on the International boundary, and may also lay out, construct and operate branch lines of such tramway on the creeks in the vicinity of such tramway.

Works for electric power.

17. The Company may acquire, construct, maintain and operate works for the production, sale and distribution of electricity and power for any purposes for which such electricity or power can be used, and may construct, maintain and operate lines of wire, poles, tunnels, conduits and other works in the manner and to the extent required for the corporate purposes of the Company, and may conduct, store, sell, and supply electricity and other power, and may, with such lines of wire, poles, conduits, motors, or other conductors or devices, conduct, convey furnish or receive such electricity to or from any person, at any place, through, over, along or across any public highway, bridges, viaducts, railways, water-courses, or over or under any waters, and may enter upon any lands on either side of such lines or conduits, and fell or remove any trees or limbs thereof or other obstructions necessary, in the opinion of the engineer of the Company, to guard the safety of such lines or conduits, and the Company may enter upon any private property and survey, set off and take such parts thereof as are necessary for such lines of wire, poles or conduits; and in case of disagreement between the Company and any owner or occupier of lands which the Company may take for any of the purposes aforesaid or in respect of any damages done thereto by constructing the said lines, poles, or conduits thereon the sections hereinafter mentioned of the Railway Act, 1903, shall apply; but nothing herein contained shall give the Company the right to expropriate water-powers.

Expropriation powers.

Works for conveying power.

18. The Company may erect poles, construct trenches or conduits and do all other things necessary for the transmission of power, heat or light as fully and effectually as the circumstances of the case may require: Provided the same are so constructed as not to incommode the public use of streets, highways or public places or to impede the access to any house or other building erected in the vicinity thereof, or to interrupt the navigation of any waters, but the Company shall be responsible for all damages which it causes in carrying out or maintaining any of its said works.

Proviso.

Government or other aid.

19. The Company may receive from any government or person in aid of the construction, equipment or maintenance of its undertaking, grants of land, bonuses, loans or gifts of money or securities for money, and may dispose thereof, and may alienate any property not required for the purposes of the Company.

Issue of paid up stock.

20. The directors may make and issue as paid-up and non-assessable stock, shares in the Company in payment for any contract, franchise, property, undertaking, privilege, right or power which may be assigned or transferred to it or which it may acquire by virtue of this Act, at such rate as they deem expedient, to engineers or contractors or for right of way, material, plant, buildings or lands, or the construction or equipment of the works or any part thereof, or for services rendered in placing or assisting to place or guaranteeing the placing of any of the shares or other securities of the Company or in or about the promotion of the Company or the conduct of its business.

Bond issue.

21. The directors may, from time to time, issue bonds of the Company for the purpose of raising money for prosecuting the said undertaking, but the whole amount of the issue of such bonds shall not exceed in all the sum of two hundred and fifty thousand dollars, which shall, as therein provided, be a charge upon the works, franchise, plant and undertaking of the Company, and be payable at such times and places and be sold at such price as the directors determine, and they may, from time to time, for advances of money to be made thereon, mortgage or pledge any bonds which, under the authority of this Act, they have power to issue.

Stock in other companies.

22. The Company may acquire and hold stock in any corporation created for or engaged in the business of using or supplying water from any river in the Yukon Territory, or of any corporation created for or engaged in the use of power, light or heat, derived from such water or otherwise, and may hold stock in any corporation which contracts to purchase, lease or use any power or property of the Company, and its stock may also be owned, held and voted upon by any such corporation acquiring such stock.

Telephone and telegraph lines.

23. The Company may construct a telephone line and telegraph line in connection with and for the purposes of its own works and business.

1903, c. 58.

24. Sections 59 to 116, both inclusive, section 118 and sections 144 to 174, both inclusive, of the Railway Act, 1903, shall apply to the Company and its undertaking in so far as the said sections are not inconsistent with the provisions of this Act, and subject to the following:—

'Company" defined.

(*a*) wherever in the said sections of the Railway Act, 1903, the word "company" occurs, it shall mean the Company hereby incorporated;

'Railway" defined.

(*b*) wherever in the said sections of the Railway Act, 1903, the word "railway" occurs, it shall, unless the context otherwise requires and in so far as it applies to the provisions of this Act, mean the works, tramway, conduits, lines, cables or other works authorized by this Act to be constructed or acquired;

"Land" defined.

(*c*) wherever in the said sections of the Railway Act, 1903, the word "land" occurs, it shall include any privileges or easement required by the Company for constructing the works

authorized by this Act, or any portion thereof, over and along any land, without the necessity of acquiring a title in fee simple thereto.

25. Sections 9, 18 and 39 of the Companies Clauses Act shall not apply to the Company. R.S.C., c. 118.

No. 183.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to incorporate the Twelve Mile Power Company, Limited.

First reading, June 4, 1906.

(PRIVATE BILL.)

MR. THOMPSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 189.] **BILL.** [1906.

An Act to amend the Copyright Act.

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

1. Section 12 of the Copyright Act, chapter 62 of the Revised Statutes, is repealed and the following is substituted therefor:— R.S.C., c. 62, new sec. 12.

"**12.** No person shall be entitled to the benefit of this Act unless he gives information of the copyright being secured by causing to be impressed on the several copies of every edition published during the term secured— Notice of copyright to appear on work.

"(*a*) if it is a book, on the title page or on the page immediately following, the words 'Entered according to Act of the Parliament of Canada, in the year by , at the Department of Agriculture;'

"(*b*) if it is a volume of maps, charts, music, prints, cuts, engravings or photographs, on the title page or frontispiece, the said words;

"(*c*) if it is a single map, chart, musical composition, print, cut, engraving or photograph, on the face thereof, the said words, or, at his option, the words "Copyright, Canada," together with the year the copyright was obtained and the name of the person by whom it was obtained, thus "Copyright, Canada, 1906, by A.B.

"2. As regards paintings, drawings, statuary and sculptures, the signature of the artist shall be deemed a sufficient notice of such proprietorship." As to works of art.

No 189

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Copyright Act.

First reading, June 7, 1906.

MR. MACDONELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 194.] **BILL.** [1906.

An Act to amend the Indian Act.

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

1. Section 6 of chapter 34 of the statutes of 1898 is repealed and the following is enacted as section 70 of the Indian Act, chapter 43 of the Revised Statutes:— R.S.C., c. 43, new s. 70.

"**70.** The Governor in Council may, subject to the provisions of this Act, direct how, and in what manner, and by whom, the moneys arising from the disposal of Indian lands, or of property held or to be held in trust for Indians, or timber on Indian lands or reserves, or from any other source for the benefit of Indians (with the exception of such sum, not exceeding fifty per cent of the proceeds of any lands, and not exceeding ten per cent of the proceeds of any timber or other property, as is agreed at the time of the surrender to be paid to the members of the band interested therein), shall be invested from time to time, and how the payments or assistance to which the Indians are entitled shall be made or given; and he may provide for the general management of such moneys, and direct what percentage or proportion thereof shall be set apart, from time to time, to cover the cost of and incidental to the management of reserves, lands, property and moneys under the provisions of this Act, and may authorize and direct the expenditure of such moneys for surveys, for compensation to Indians for improvements or any interest they have in lands taken from them, for the construction or repairs of roads, bridges, ditches and watercourses on such reserves or lands, for the construction of school buildings, and by way of contribution to schools attended by such Indians." Investment and management of Indian funds may be regulated by Governor in Council.

No. 194.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Indian Act.

First reading,, June 11, 1906.

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 195.] **BILL.** [1906.

An Act respecting the Court of Appeal for Manitoba.

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

Commencement of Act.

1. This Act shall come into force when and so soon as the Act of the Legislature of the province of Manitoba passed in the session thereof held in the fifth and sixth years of His Majesty's reign, and intituled "An Act respecting a Court of Appeal for Manitoba, and to amend 'The King's Bench Act' " is brought into force.

R.S.C., c. 9, s. 2, amended.

2. Paragraph (*j*) of section 2 of the Dominion Controverted Elections Act, chapter 9 of the Revised Statutes, is amended by substituting for subparagraph (5) thereof the following:—

"(5) In the province of Manitoba, the Court of Appeal for that province."

Pending proceedings.

3. Any proceedings under the said Dominion Controverted Elections Act pending in the Court of King's Bench for the said province at the time this Act comes into force shall *ipso facto* and without any formal motion or other proceeding be transferred to and continued in the said Court of Appeal as if that court had been in existence when such proceedings were instituted and such proceedings had been commenced therein.

1892, c. 29, s. 3, amended.

4. Section 3 of the Criminal Code, 1892, is amended by substituting for subparagraph (v) of paragraph (*e*) thereof the following:—

"(v) In the province of Manitoba, the Court of Appeal;"

and by substituting for subparagraph (v) of paragraph (*y*) thereof the following:—

"(v) In the province of Manitoba, the Court of Appeal or the Court of King's Bench (Crown side)."

R.S.C., c. 138, sections added.

5. The Act respecting the Judges of Provincial Courts, chapter 138 of the Revised Statutes, as the said Act has heretofore been amended, is further amended—

(*a*) by inserting immediately after section 7 thereof the following section:—

Salaries of judges, Manitoba.

"7A. The salaries of the judges of the Court of Appeal for the province of Manitoba shall be as follows:—

"The Chief Justice of the said court, $8,000.

"Three puisne judges of the said court, each $7,000."

(*b*) by repealing section 8 thereof and substituting the following:—

"**8.** The salaries of the judges of the Court of King's Bench of the Province of Manitoba shall be as follows:—

"The Chief Justice of the said court, $7,000.

"Two puisne judges of the said court each $6,000."

Superannuation.

6. All the provisions of the said last mentioned Act, as amended, with respect to superannuation allowances to judges of superior courts shall apply to the judges of the said Court of Appeal.

1894, c. 14, s. 20, amended.

7. Paragraph (*c*) of subsection 1 of section 20 of the Act to disfranchise Voters who have taken bribes, chapter 14 of the statutes of 1894, is hereby repealed and the following is substituted therefor:—

" (*c*) in the provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, and in the Northwest Territories, to the Supreme Court *in banc* in the said provinces and territories respectively, and in Manitoba to the Court of Appeal; and such appeals shall be carried on under the provisions of the rules of court made pursuant to section 7 of this Act."

No. 195.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Court of Appeal for Manitoba.

First reading, June 12, 1906.

Mr. Aylesworth.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 196.] **BILL.** [1906.

An Act to amend the Act respecting the Currency.

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

1. The Minister of Finance and Receiver General may, under regulations of the Governor in Council, redeem any silver, copper or bronze coins which may have been issued for circulation in Canada and which by reason of abrasion through legitimate usage are no longer deemed fit for circulation. Redemption of light coin.

No. 196.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Act respecting the Currency.

First reading, June 12, 1906.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 198.] **BILL.** [1906.

An Act respecting the British America Assurance Company.

Preamble. 1882, c. 99; 1893, c. 75; 1901, c. 90; 1904, c. 51.

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

1893, c. 75, s. 5 amended.

Capital increased.

1. Section 5 of chapter 75 of the statutes of 1893 is amended by striking out of the fourth line thereof the word "two" and substituting therefor the word "three."

1882, c. 99, s. 6 amended.

Number of directors.

2. Section 6 of chapter 99 of the statutes of 1882 is amended by striking out the word "nine" in the seventh, thirteenth and nineteenth lines thereof and substituting therefor the word "fifteen," and by striking out the word "fifty" in line twenty-eight thereof and substituting therefor the words "two hundred."

By-law respecting Board.

3. The directors may make a by-law regulating the calling of meetings of the Board and fixing the quorum thereof.

By-law respecting preference stock.

4. The directors may make a by-law for creating and issuing and may create and issue any part of its capital stock as preference stock, giving it such preference and priority as respects dividends and in any other respect over ordinary stock as is declared by the by-law: Provided, that the holders of preference stock shall not be given any greater voting power than the holders of ordinary stock, and provided, further, that the preference stock at any time issued and outstanding shall not exceed two shares of preference to every three shares of ordinary stock issued and sold.

Sanction of by-law.

2. No such by-law shall have any force or effect until it has been sanctioned by two-thirds of the votes of the shareholders present or represented by proxy at a special general meeting of the Company duly called for considering it, and such sanction may be validly given at a special general meeting of the shareholders to be held on the fourth day of July, one thousand nine hundred and six, or at any adjournment thereof, called for the purpose of considering a by-law creating an issue of preference stock of the Company, notwithstanding that notice of such meeting was given prior to the passing of this Act.

Section 13 amended.

Inland transportation insurance.

5. Section 13 of chapter 99 of the statutes of 1882 is amended by inserting after the word "aforesaid" in the twenty-ninth line thereof the words "and against loss or damage of or to goods, wares, merchandise or property of any kind, including matter transmitted by mail, in transit from place to place."

Previous Acts amended.

6. So much of chapter 99 of the statutes of 1882, intituled "An Act to amend and consolidate as amended the several Acts relating to the British America Assurance Company," and of any subsequent Acts amending the said Act as are inconsistent with this Act are hereby repealed.

No. 198.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the British America Assurance Company.

First reading, June 13, 1906.

(PRIVATE BILL.)

MR. MCCARTHY
(Simcoe).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 199.] **BILL.** [1906.

An Act respecting the Western Assurance Company.

Preamble.

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

Capital may be increased.

1. The Western Assurance Company, hereinafter called "the Company," may by by-law increase its capital stock to an amount not exceeding five million dollars, and such additional stock may be issued, allotted and called in from time to time in such manner as the directors determine.

Issue of preference stock by by-law.

Amount limited.

2. The directors may by by-law create and issue any part of the capital stock as preference stock, giving it such preference and priority as respects dividends, and in any other respect, over ordinary stock as is declared by the by-law; provided that the holders of preference stock shall not be given any greater voting power than the holders of ordinary stock; and provided, further, that the preference stock at any time issued and outstanding shall not exceed two shares of preference to every three shares of ordinary stock issued and sold.

Sanction of by-laws.

2. No such by-law shall have any force or effect until it has been sanctioned by two-thirds of the votes of the shareholders present or represented by proxy at a special general meeting of the shareholders duly called for considering it, and such sanction may be validly given at a special general meeting of the shareholders, to be held on the fifth day of July, one thousand nine hundred and six, or at any adjournment thereof, called for the purpose of considering a by-law creating an issue of preference stock, notwithstanding that notice of such meeting was given prior to the passing of this Act.

1851, c. 162, s. 8 amended.

3. Section 8 of chapter 162 of the statutes of 1851 of the late province of Canada is amended by striking out the word "nine" in the second line thereof and substituting therefor the word "fifteen;" and section 1 of chapter 167 of the statutes of 1857 is amended by striking out the word "nine" in the eighth line thereof and substituting therefor the word "fifteen."

Meetings of Board.

Section 17 amended.

4. The directors may make a by-law regulating the calling of meetings of the Board and fixing the quorum thereof; and section 17 of chapter 162 of the statutes of 1851 of the late province of Canada, as amended by section 2 of chapter 167 of the statutes of 1857, is amended accordingly.

Section 23 repealed. Double assurance.

5. Section 23 of chapter 162 of the statutes of 1851 of the Province of Canada is repealed.

Qualification of directors.

6. No person shall be elected a director unless he holds at least two hundred and fifty shares of the capital stock of the Company.

1904, c. 141, s. 4 amended. Capital stock.

7. Section 4 chapter 141 of the statutes of 1904 is amended by striking out of the fifth line thereof the word "two" and substituting therefor the word "five."

Previous Acts amended.

8. So much of chapter 162 of the statutes of 1851 of the Province of Canada intituled "An Act to incorporate the Western Assurance Company," and of any subsequent Acts amending the said Act as are inconsistent with the provisions of this Act are hereby repealed.

No. 199.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act respecting the Western Assurance Company.

First reading, June 13, 1906.

(PRIVATE BILL.)

MR. MCCARTHY (Simcoe).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 200.] **BILL.** [1906.

An Act to amend the Militia Pension Act, 1901.

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

1901, c. 17, s. 3 amended.

1. Section 3 of the Militia Pension Act, 1901, as amended by section 1 of chapter 35 of the statutes of 1903, is further amended by adding thereto the following subsection:—

Time served in regular forces may be counted in certain cases.

"8. Subject to the provisions of subsection 2 of section 5 of this Act, time served in His Majesty's regular forces may be counted in his term of service for pension in the case of an officer transferred to the permanent force in connection with the taking over by the Government of Canada of the garrisons of Halifax and Esquimalt."

S. 9 amended.

2. Section 9 of the said Act is amended by adding thereto the following paragraph:—

Time served in regular forces may be counted in certain cases.

"(*d*) Time served in His Majesty's regular forces may be counted towards pension in the case of non-commissioned officers and men transferred to the permanent force in connection with the taking over by the Government of Canada of the garrisons of Halifax and Esquimalt."

No. 200.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Militia Pension Act, 1901.

First reading, June 13, 1906.

SIR FREDERICK BORDEN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 201.] **BILL.** [1906.

An Act to amend the Militia Act.

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

1904, c. 23, ss. 46 and 47 repealed.

1. Sections 46 and 47 of the Militia Act, chapter 23 of the statutes of 1904, are repealed and the following section is enacted as section 46 thereof:—

New s. 46.

"**46.** The Governor in Council may make regulations, applying as well to officers and others belonging to His Majesty's regular forces, and to officers of any military force of any part of His Majesty's dominions, when serving in Canada, as to officers of the militia, as to the persons to be invested as officers or otherwise with command over the militia or any part thereof, or any person belonging thereto, and as to the mode in which such command is to be exercised: Provided that command shall not be given to any person over a person superior in rank to himself."

Regulations respecting command.

Proviso.

S. 54 amended.

2. Section 54 of the said Act is amended by adding thereto the following subsection:—

Time served in regular forces may be counted in certain cases.

"3. Time served in His Majesty's regular forces may be counted for the purposes of any regulations with regard to pay and allowances in the case of non-commissioned officers and men transferred to the permanent force in connection with the taking over by the Government of Canada of the garrisons of Halifax and Esquimalt."

No. 201.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Militia Act.

First reading, June 13, 1906.

SIR FREDERICK BORDEN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 202.] **BILL.** [1906.

An Act respecting roads and road allowances in the provinces of Saskatchewan and Alberta.

[*Assented to 20th July*, 1905.]

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

Short title.

1. This Act may be cited as the Saskatchewan and Alberta Roads Act, 1906.

Certain road allowances transferred to the provinces.

2. All road allowances in townships now or hereafter surveyed and subdivided, and all road allowances set out on block lines now or hereafter surveyed, in the North-west Territories, within the limits of the province of Saskatchewan or the province of Alberta, as those provinces are defined in the Saskatchewan Act and the Alberta Act respectively, the plans of survey of which have been duly approved, and the Dominion lands comprised in such road allowances, shall be vested in the Crown in the right of the province within which such road allowances are situate.

Survey of road or trail before transfer.

3. On the Minister of the Interior receiving notice from the Lieutenant Governor in Council of either of the said provinces that it is desired that any public travelled road or trail in the province, which existed as such prior to the subdivision of the land into sections, shall be transferred to the province, the Governor in Council may authorize and direct the survey of such road or trail by a Dominion land surveyor.

Width and changes in location.

2. Such roads shall not exceed sixty-six feet in width, and in making the survey, the surveyor may make such changes in the location of the road or trail as he deems necessary for improving it, without, however, altering its main direction.

Filing of returns of survey to vest lands in province.

4. The returns of every such survey shall be made to the Department of the Interior; and, upon a duplicate copy of such returns, approved by the Surveyor General, being filed in the proper land titles office, the road or trail shall vest in the Crown in the right of the province, subject to the right of any person to whom patent has been issued previous to such filing.

Survey of new roads by provinces.

5. The Lieutenant Governor in Council of either of the said provinces may cause to be surveyed and marked on the ground by a Dominion land surveyor such new roads as are from time

to time deemed necessary to aid in the development of any locality which cannot be conveniently served by existing road allowances or other public highways; such new roads to be of a width to be specified by the Lieutenant Governor in Council, but not to exceed sixty-six feet in width.

Filing of returns of survey to vest lands in province.

6. The returns of each such last-mentioned survey shall be made to the Public Works Department of the province in which the road lies, and, upon a duplicate copy of the plan of such survey, approved by the chief engineer of the Department of Public Works of such province, being filed in the proper land titles office, the road or roads shown thereon to have been surveyed as aforesaid, so far as the lands within their limits are Dominion lands, shall vest in the Crown in the right of the province, subject to the right of any person who has acquired any interest in such lands.

Revesting of lands in Dominion.

2. A duplicate copy of the plan of such survey so approved by the chief engineer of the Department of Public Works of such province, shall be forthwith transmitted by the said Department of Public Works to the Surveyor General, who, within one month from the receipt of it by him, may require the plan of such survey so filed to be withdrawn from the land titles office by the Department of Public Works of such province, and the effect of such withdrawal shall be to revest in the Crown in the right of the Dominion the lands shown upon the plan of such survey.

Roads, etc., transferred from N.W.T. to provinces.

7. All road allowances, public travelled roads or trails, and new roads in either of the said provinces hitherto transferred to or for the use of the North-west Territories, or subjected to the direction, management or control of the Lieutenant Governor in Council of the North-west Territories, shall be vested in the Crown in the right of the province in which they are situate.

Mines and minerals excepted.

8. Nothing herein contained shall be construed to vest in the Crown in the right of the province any mines or minerals under any part of any road or trail upon or through Dominion lands.

Repeal.

9. Chapter 38 of the statutes of 1905, intituled "An Act respecting roads and road allowances in the Provinces of Saskatchewan and Alberta," is repealed.

No. 202.

2nd Session, 10th Parliament, 6 Edward VII, 19

BILL.

An Act respecting roads and road allowa ces in the provinces of Saskatchew and Alberta.

First reading, June 15, 1906.

MR. OLIVER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 206.] **BILL.** [1906.

An Act to amend the Manitoba Grain Act, 1900.

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

1. Section 59 of the Manitoba Grain Act, 1900, as enacted by section 21 of chapter 33 of the statutes of 1903, is repealed and the following is substituted therefor:— 1900, c. 39, new s. 59.

"**59.** If there is failure at any shipping point to fill all car orders as aforesaid, the following provisions shall apply to the application for, and the distribution of, cars:— In case of failure to fill car orders.

"(*a*) Beginning at the top of the list in the order book and proceeding downwards to the last name entered on the list, each applicant shall receive one car as quickly as cars can be supplied.

"(*b*) When an applicant has loaded or cancelled a car allotted to him he may, if he requires another car, become eligible therefor by placing his name, together with the section, township and range in which he resides, at the bottom of the list; and when the second car has been allotted to him and he has loaded or cancelled it, he may again write his name, together with the section, township and range in which he resides, at the bottom of the list; and so on, until his requirements have been filled.

"(*c*) No applicant shall have more than one unfilled order on the order book at any one time."

2. Section 61 of the Manitoba Grain Act, 1900, as enacted by section 21 of chapter 33 of the statutes of 1903, is repealed Section 61 repealed.

No. 206.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Manitoba Grain Act, 1900.

First reading, June 20, 1906.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 207.] **BILL.** [1906.

An Act to amend the Grain Inspection Act.

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

1. Section 58 of the Grain Inspection Act, chapter 15 of the statutes of 1904, is repealed and the following is substituted therefor:— 1904, c. 15, new s. 58.

"**58.** Every such weighmaster or assistant shall give upon demand to any person having weighing done by him, a certificate under his hand, showing the amount of each weighing, the number of each car or cargo weighed, the initial of the car, the place where weighed, the date of weighing, and the contents of the car or cargo, and such certificate shall be, in all cases, *prima facie* evidence of the facts therein set forth. Certificate by weighmaster.

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

2. Section 88 of the said Act is amended by inserting at the end of the definitions of the grades of Winter Wheat the following:— Section 88 amended.

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

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

"No. 3 Alberta red winter wheat shall include hard red winter wheat not clean enough, nor sound enough, nor plump enough to be graded No. 2, weighing not less than 57 pounds to the bushel."

3. Section 89 of the said Act is amended by striking out the paragraph defining Extra Manitoba hard wheat, and also by striking out the word "plump" in the paragraph defining No. 1 Manitoba hard wheat. Section 89 amended.

4. Subsections 7 and 8 of section 91 of the said Act are repealed and the following are substituted therefor:— S. 91 amended.

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

"8. The provisions of section 90 of this Act shall apply to such grain."

No. 207.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Grain Inspection Act.

First reading, June 20, 1906.

MR. FISHER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 214.] **BILL.** [1906.

An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

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

Subsidies for railways.

1. The Governor in Council may grant a subsidy of $3,200 per mile towards the construction of each of the undermentioned lines of railway (not exceeding in any case the number of miles hereinafter respectively stated) which shall not cost more on the average than $15,000 per mile for the mileage subsidized, and towards the construction of each of the said lines of railway, not exceeding the mileage hereinafter stated, which shall cost more on the average than $15,000 per mile for the mileage subsidized, a further subsidy beyond the sum of $3,200 per mile of fifty per cent on so much of the average cost of the mileage subsidized as is in excess of $15,000 per mile, such subsidy not exceeding in the whole the sum of $6,400 per mile:—

1. To the Manitoulin and North Shore Railway Company (or to the Canada Central Railway Company, with the consent of the Manitoulin and North Shore Railway Company, and subject to the approval of the Governor in Council), for the following lines of railway:—

(*a*) From Little Current, thence crossing the Canadian Pacific Railway, at or near Stanley, and thence to Sudbury, not exceeding 64 miles;

(*b*) From a point on the said line of railway, between Little Current and Sudbury, westerly towards the Algoma Central and Hudson Bay Railway, not exceeding 100 miles; and

(*c*) From a point at or near Sudbury northerly, not exceeding 30 miles;

the said subsidies being granted in lieu of the subsidies of 64 and 130 miles, granted by chapter 8 of 1900, section 2, item 6, as amended by section 5 of chapter 7 of 1901, and chapter 7 of 1901, section 2, item 14, respectively.

2. To the Algoma Central and Hudson Bay Railway Company, for a line of railway from Sault Ste. Marie to a point on the Canadian Pacific Railway between White River and Dalton stations in the District of Algoma, not exceeding 200 miles, and for a line of railway from Michipicoten Harbour, Lake Superior, towards the main line of the Canadian Pacific Railway, not exceeding 25 miles; in lieu of the subsidies of

40, 50 and 135 miles granted by chapter 7 of 1899, section 2, item 23, chapter 8 of 1900, section 2, item 4, and chapter 7 of 1901, section 2, item 20, respectively.

3. To the Lotbinière and Megantic Railway Company, to extend its railway southerly from a point at or near Lyster, in Megantic County, to or towards a point at or near Lime Ridge, in the Township of Dudswell, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 8, not exceeding 50 miles.

4. For a line of railway from Lake Nomininguе to La Lièvre, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 44, not exceeding 35 miles.

5. For a line of railway from a point on the Intercolonial Railway at or near Dartmuoth, in the County of Halifax, to Guysborough, in the County of Guysborough, with branch lines to a point on the Intercolonial Railway at or near New Glasgow, in the County of Pictou, and also to County Harbour, in the County of Guysborough, not exceeding in the whole 236 miles; in lieu of the subsidies of 116 and 120 miles granted by chapter 57 of 1903, section 2, items 19 and 63 respectively.

6. For a line of railway from Wellington to Union Bay, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 68, not exceeding 55 miles.

7. For a line of railway from a point at or near Sharbot Lake or Bathurst Station, in the Province of Ontario, or between those points, via Lanark Village, to Carleton Place, in lieu of the subsidy granted by chapter 7 of 1901, section 2, item 17, not exceeding 41 miles.

8. For a line of railway from Cape Tourmente towards Murray Bay, in lieu of the subsidy granted by chapter 5 of 1892, not exceeding 20 miles.

9. To the Atlantic, Quebec and Western Railway Company, for a line of railway from Gaspé to a point at or near Causapscal on the Intercolonial Railway and from that point to Edmundston, not exceeding 260 miles; and for a line of railway from Paspebiac to Gaspé, as near the shore as practicable, not exceeding 102 miles; in lieu of the subsidies granted by chapter 57 of 1903, section 2, item 51.

10. To the Nipigon Railway Company, for the following lines of railway.. :—

(*a*) From a point at or near Nipigon Station in the line of the Canadian Pacific Railway to Nipigon Lake, not exceeding 30 miles;

(*b*) From a point on Nipigon Bay of Lake Superior to a point on the west of Lake Helen on the line of the Nipigon Railway, not exceeding 3½ miles;

(*c*) From a point on the line of the Nipigon Railway at or near the crossing of the Fraser River, to a point on Lake Jesse, by way of Cameron's Falls, not exceeding 1½ miles;

(*d*) From a point on the North shore of Lake Nipigon northerly, not exceeding 45 miles;

The said subsidies to the said lines being granted in lieu of the subsidies granted by chapter 34 of 1904, section 2, item 3, not exceeding in the whole 80 miles.

11. For a line of railway from Quebec towards Seven Islands, including branches to Murray Bay and Baie St. Paul, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 48, not exceeding 200 miles.

12. For a line of railway from Roberval westward towards James Bay, in lieu of the subsidies granted by chapter 57, of 1903, section 2, items 11 and 52, not exceeding 100 miles.

13. To the Quebec Central Railway Co., for an extension of its line of railway from St. Francis to St. George, not exceeding 9 miles; and for a line of railway from Scott Junction to the Quebec Bridge, not exceeding 23 miles, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 46.

14. To the Western Alberta Railway Company, for a line of railway from a point on the United States Boundary, west of range 21, northwesterly towards Anthracite, in the Province of Alberta, in lieu of the subsidy granted by chapter 34 of 1904, section 2, item 11, not exceeding 50 miles.

15. To the Shediac and Coast Railway Company, for a line of railway from Shediac to Shemogue and towards Cape Tormentine in Westmoreland County, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 17, not exceeding 38 miles.

16. For a line of railway from St. Constant, in the County of Laprairie and Napierville, through St. Edouard, St. Cyprien, and Lacolle, to a point at or near the International boundary line on the Delaware and Hudson Railway (Grand Trunk), in lieu of the 19 and 12 mile subsidies granted by chapter 7 of 1899, section 2, item 10 and chapter 4 of 1894 respectively, not exceeding 28 miles.

17. To the Lake Superior, Long Lake and Albany Railway Company, for a line of railway from Peninsula Harbour in a northerly direction, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 76, not exceeding 10 miles.

18. For a line of railway from Owen Sound, in the Province of Ontario, to Meaford, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 34, not exceeding 30 miles.

19. To the Kingston, Smith's Falls and Ottawa Railway Company, for a line of railway from Kingston to Ottawa, being a revote of the subsidy granted by chapter 4 of 1897, not exceeding 101 miles.

20. To the Lothbinère and Megantic Railway Company, for a line of railway from a point on its line between Lyster and Lime Ridge to a point at or near the Bridge over the St. Lawrence at or near Quebec, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 45, not exceeding 30 miles.

21. For a line of railway from a point on the Quebec and Lake St. John Railway near the river Jeannotte, to La Tuque, on the St. Maurice River, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 57, not exceeding 35 miles.

22. To the Halifax and South Western Railway Company, for a line of railway from a point at or near Halifax, to a point, at or near Barrington Passage, (except that part east of Bridgewater which formerly formed part of the line of the Central Railway), in lieu of the 68, 77 and 35 miles of subsidies granted by chapter 57 of 1903, section 2, item 23 (*a*) and (*b*), and item 75, respectively, not exceeding 185 miles.

23. To the Bay of Quinte Railway Company, for a line of railway from a point at or near the Village of Tweed, thence northwesterly to a point at or near the Village of Bannockburn, in the County of Hastings, being a revote in part of the subsidy granted by charter 7 of 1899, section 2, item 45, and in lieu of

the subsidy granted by chapter 57 of 1903, section 2, item 37, not exceeding in all 20 miles.

24. For a line of railway from a point at or near Baptiste, easterly to a point at or near Renfrew, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 32, not exceeding 75 miles.

25. For a line of railway from the station at Lac Bouchette, or from a point about one mile east of the said station, on the Quebec and Lake St, John Railway, to St. André, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 47, not exceeding 13 miles.

26. For a line of railway from Debert Station, on the Intercolonial Railway, to Debert Coal Mine, in lieu of the subsidy granted by chapter 57 of 1903, secton 2, item 20, not exceeding 4½ miles.

27. For a line of railway from a point at or near Toulon, to a point on the Icelandic River, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 27, not exceeding 35 miles.

28. To the Ontario, Northern and Temagami Railway Company (formerly the Temagami Railway Company), for a line of railway from a point at or near Sturgeon Falls, in a northwesterly direction, to a point on the westerly shore of Lake Temagami, in the District of Nipissing, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 36, not exceeding 50 miles.

29. To the Quebec and Lake St. John Railway Company, for a line of railway from Roberval to the Government wharf at Lake St. John, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 40, not exceeding one mile.

30. For a line of railway from Truro northerly towards Brule, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 64, not exceeding 34 miles.

31. To the Kootenay Central Railway Company, for a line of railway from Golden towards the International Boundary line, via Windermere and Fort Steele, and crossing the Crow's Nest Railway at or near Elko, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 66, not exceeding 186 miles.

32. To the Brockville, Westport and Sault Ste. Marie Railway Company, the balance remaining unpaid of the subsidy granted by chapter 3 of 1889, not exceeding $3,200 per mile, and also the balance remaining unpaid of the subsidy granted by chapter 2 of 1890 which was regranted by chapter 5 of 1892; the whole not exceeding $86,800, being a revote of the subsidy granted by chapter 4 of 1894; and the said subsidy, or so much thereof as has heretofore been agreed upon by the terms of an agreement, filed in the Department of Railways and Canals, between the said Brockville, Westport and Sault Ste. Marie Railway Company and the creditors of the said Company, may be paid over to the said creditors or their legal representatives, as mentioned in the said agreement..

33. For a line of railway from Jonquieres to La Baie des Ha Ha, in lieu of subsidy granted by chapter 57 of 1903, section 2, item 7, not exceeding 20 miles.

34. For a line of railway from St. Rose, via the east side of Lake Ainslie, to or towards Orangedale on the Intercolonial Railway, not exceeding 34 miles; and for a line of railway from

a point on the Intercolonial Railway at or near Mines Road Station to the wharf at Caribou Cove, not exceeding 4 miles, in lieu of the subsidy granted by chapter 57 of 1903, section 2, items 18 and 62.

35. For a line of railway from a point at or near Wolfville, on the Dominion Atlantic Railway, to the Government Pier at the Basin of Minas, not exceeding 1 mile, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 25.

36. To the Great Northern Railway of Canada, for a line of railway in extension of its railway from a point at or near Arundel to a point in the municipality of the united townships of Preston and Hartwell, not exceeding 30 miles; and for a line of railway connecting its Montford and Gatineau line with the main line at St. Jerome, not exceeding 22 miles; in lieu of the subsidies granted to the Montford and Gatineau Colonization Railway Company by items 6 and 41 of section 2 of chapter 57 of 1903.

37. To the Great Northern Railway of Canada, for a line of railway from, or from near, Garneau Junction to or towards the Quebec Bridge, not exceeding 70 miles, in lieu of the subsidy granted by item 74 of section 2, of chapter 57 of 1903.

38. For a line of railway from a point at or near Ste. Agathe des Monts Station towards the township of Howard, in the County of Argenteuil, passing near Lakes St. Joseph and Ste. Marie, in a southerly direction, not exceeding 15 miles; and for a line of railway between a point in the parish of St. Andrews, in the County of Argenteuil, and a point in the parish of St. Laurent, in the County of Jacques Cartier, passing trhough the parishes of St. Placide, St. Eustache and St. Martin, not exceeding 38 miles; in lieu of the subsidies granted by chapter 34 of 1904, items 8 and 9 of section 2; not exceeding in the whole 53 miles.

39. To the Kettle River Valley Railway Company, for a line of railway from Grand Forks to a point 50 miles up the North Fork of Kettle River, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 67, not exceeding 50 miles.

40. To the Ottawa, Northern and Western Railway, for a line of railway from Aylmer to a point of junction with the Interprovincial Bridge approach in the City of Hull (except that portion thereof beginning at a point of junction with the line of the Hull Electric Railway in the City of Hull and terminating at a point on the main line of the Canadian Pacific Railway at the east end of its Hull Station yard), not exceeding 9 miles, in lieu of the subsidy granted by item 12 of section 2 of chapter 7, of 1899, and by the first portion of item 13 of section 2 of chapter 57 of 1903.

41. To the Toronto, Lindsay and Pembroke Railway Company for a line of railway from Golden Lake to Bancroft, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 3, not exceeding 51 miles.

42. To the Interprovincial and James Bay Railway Company, for a line of railway from Lake Temiskaming at the present terminus of the Canadian Pacific Railway in a northerly direction, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 42, not exceeding 50 miles.

43. For a line of railway from Waltham Station to Ferguson Point, in the County of Pontiac, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 43, not exceeding 20 miles.

44. To the Matane and Gaspé Railway Company, for a line of railway from a point at or near St. Octave, on the Intercolonial Railway, to Matane, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 54, not exceeding 30 miles.

45. For a line of railway from the village of Haliburton, via the village of Whitney, towards the town of Mattawa, Ontario, in lieu of the subsidies granted by chapter 7 of 1899, section 2, item 25, and chapter 8 of 1900, section 2, item 9, not exceeding 60 miles.

46. For a line of railway from Dawson to Stewart River, passing at or near Grand Forks, in lieu of the subsidy granted by chapter 57 of 1903, section 2, item 71, not exceeding 84 miles.

Interpretation.

"Cost."

2. In this Act, unless the context otherwise requires, the expression "cost" means the actual, necessary and reasonable cost, and shall include the amount expended upon any bridge, up to and not exceeding $25,000, forming part of the line of railway subsidized not otherwise receiving any bonus, but shall not include the cost of equipping the railway nor the cost of terminals nor the cost of right of way of the railway in any city or incorporated town; and such actual, necessary and reasonable cost shall be determined by the Governor in Council, upon the recommendation of the Minister of Railways and Canals, and upon the report of the Chief Engineer of the Department of Railways and Canals, certifying that he has made or caused to be made an inspection of the line of railway for which payment of subsidy is asked, and careful inquiry into the cost thereof, and that in his opinion the amount upon which the subsidy is claimed is reasonable, and does not exceed the true, actual and proper cost of the construction of such railway.

How subsidies shall be paid.

3. The subsidies hereby authorized towards the construction of any railway shall be payable out of the Consolidated Revenue Fund of Canada, and may, unless otherwise expressly provided in this Act, at the option of the Governor in Council, on the report of the Minister of Railways and Canals, be paid as follows:—

(*a.*) Upon the completion of the work subsidized; or

(*b.*) By instalments, on the completion of each ten-mile section of the railway, in the proportion which the cost of such completed sections bears to that of the whole work undertaken; or

(*c.*) Upon the progress estimates on the certificate of the Chief Engineer of the Department of Railways and Canals that, in his opinion, having regard to the whole work undertaken and the aid granted, the progress made justifies the payment of a sum not less than thirty thousand dollars; or

(*d.*) With respect to (*b*) and (*c*), part one way, part the other.

Conditions.

4. The subsidies hereinbefore authorized to be granted to companies named shall, if granted by the Governor in Council, be granted to such companies respectively; the other subsidies may be granted to such companies as establish to the satisfaction of the Governor in Council their ability to construct and complete the said railways respectively; all the lines for the

construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August, 1906, and completed within a reasonable time, not to exceed four years from the said first day of August, to be fixed by the Governor in Council, and shall also be constructed according to descriptions, conditions and specifications approved by the Governor in Council on the report of the Minister of Railways and Canals, and specified in each case in a contract between the Company and the said Minister, which contract the Minister, with the approval of the Governor in Council, is hereby empowered to make. The location also of such subsidized lines shall be subject to the approval of the Governor in Council.

As to running powers.

5. The granting of such subsidies and the receipt thereof by the respective companies, shall be subject to the condition that the Board of Railway Commissioners for Canada may at all times provide and secure to other companies such running powers, traffic arrangements and other rights as will afford to all railways connecting with the railways so subsidized reasonable and proper facilities in exercising such running powers, fair and reasonable traffic arrangements with connecting companies, and equal mileage rates between all such connecting railways; and the said Board shall have absolute control, at all times, over the rates and tolls to be levied and taken by any of the companies, or upon any of the railways hereby subsidized: Provided always that any decision of the said Board made under this section may be at any time varied, changed, or rescinded by the Governor in Council, as he deems just and proper.

Transportation of Government supplies, etc.

6. Every company receiving a subsidy under this Act, its successors and assigns, and any person or company controlling or operating the railway or portion of railway subsidized under this Act, shall each year furnish to the Government of Canada transportation for men, supplies, materials and mails over the portion of the lines in respect of which it has received such subsidy, and, whenever required, shall furnish mail cars properly equipped for such mail service; and such transportation and service shall be performed at such rates as are agreed upon between the Minister of the Department of the Government for which such service is being performed, and the company performing it, and, in case of disagreement, then at such rates as are approved by the Board of RailwayCommissioners for Canada; and in or towards payment for such charges the Government of Canada shall be credited by the company with a sum equal to three per cent per annum on the amount of the subsidy received by the company under this Act.

Production o acocunts.

7. As respects all railways for which subsidies are granted by this Act, the company at any time owning or operating any of the railways shall, when required, produce and exhibit to the Minister of Railways and Canals, or any person appointed by him, all books, accounts and vouchers showing the cost of constructing the railway or bridge, the cost of operating it, and the earnings thereof.

As to Canadian steel rails.

8. The Governor in Council may make it a condition of the grant of the subsidies under this Act that the company shall lay its road with new steel rails made in Canada, if they are procurable in Canada of suitable quality, upon terms as favourable as other rails can be obtained, of which the Minister of Railways and Canals shall be the judge.

Mode of payment of certain railway subsidies.

9. Whenever a contract has been duly entered into with a company for the construction of any line of railway hereby subsidized, the Minister of Railways and Canals, at the request of the company, and upon the report of the Chief Engineer of the Department of Railways and Canals, and his certificate that he has made careful examination of the surveys, plans and profile of the whole line so contracted for, and has duly considered the physical characteristics of the country to be traversed and the means of transport available for construction, naming the reasonable and probable cost of such construction, may, with the authorization of the Governor in Council, enter into a supplementary agreement, fixing definitely the maximum amount of the subsidy to be paid, based upon the said certificate of the Chief Engineer, and providing that the company shall be entitled to be paid, as the minimum, the ordinary subsidy of $3,200 per mile, together with sixty per cent of the difference between the amount so fixed and the said $3,200 per mile, if any; and the balance, forty per cent, shall be paid only on completion of the whole work subsidized, and in so far as the actual cost, as finally determined by the Governor in Council upon the recommendation of the Minister of Railways and Canals, and upon the report and certificate of the said Chief Engineer, entitles the company thereto: Provided always—

(*a.*) that the estimated cost, as certified, is not less on the average than $18,000 per mile for the whole mileage subsidized;

(*b*) that no payment shall be made except upon a certificate of the Chief Engineer that the work done is up to the standard specified in the company's contract;

(*c*) that in no case shall the subsidy exceed the sum of $6,400 per mile.

No. 214.

2nd Session, 10th Parliament, 6 Edward VII

BILL.

An Act to authorize the granting of
sidies in aid of the construction
lines of railway therein mentioned

First reading, June 26, 1906.

MR. EMERS

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majes
1906

No. 215.] **BILL.** [1906.

An Act to amend the National Transcontinental Railway Act.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1903, c. 71; 1904, c. 24.

Nature of security to be deposited by Company.

1. Notwithstanding anything contained in the National Transcontinental Railway Act, or in the Act, chapter 24 of the Statutes of 1904, amending the same, or in the scheduled agreements in the said Acts referred to, any securities approved for the purpose by the Governor in Council may be accepted in whole or in part for the deposit of five million dollars required by clause 12 of the scheduled agreement of the twenty-ninth day of July, one thousand nine hundred and three, to be made by the Grand Trunk Pacific Railway Company, and such approved securities may be taken in substitution in whole or in part for the cash of which such deposit now consists.

Saving.

2. Nothing herein contained shall be held or taken in any respect other than as aforesaid to change or effect the provisions of the said Acts or of the said scheduled agreements with regard to the said deposit.

No. 215.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the National Transcontinental Railway Act.

First reading, June 27, 1906.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 219.] **BILL.** [1906.

An Act to amend the Pilotage Act.

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

1. Section 59 of the Pilotage Act, chapter 80 of the Revised Statutes, as that section is amended by section 1 of chapter 27 of the statutes of 1902, is amended by adding thereto, as subsection 2, the following:— R.S.C., c. 80, s. 59 amended. Subsection added.

"2. Notwithstanding anything in paragraph (*c*) of subsection 1 of this section, no ship described in the said paragraph, which plies between the city of Montreal and Father Point, in the river St. Lawrence, shall be exempt from the compulsory payment of pilotage dues." Pilotage between Montreal and Father Point.

No. 219.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Pilotage Act.

First reading, June 29, 1906.

Mr. Brodeur.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

No. 220.] **BILL.** [1906.

An Act to repeal the Act respecting Annuities for certain Privy Councillors.

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

1. Chapter 30 of the statutes of 1905, intituled "An Act respecting Annuities for Certain Privy Councillors," is hereby repealed. 1905, c. 30, repealed.

2. This Act shall take effect from the first day of July, one thousand nine hundred and six. Commencement of this Act.

No. 220.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to repeal the Act respecting Annuities for certain Privy Councillors.

First reading, June 29, 1906.

MR. FIELDING.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 222.] **BILL.** [1906.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

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

$250,000 may be advanced to Montreal Harbour Commissioners.

1. The Governor in Council may from time to time advance and pay to the Corporation of the Harbour Commissioners of Montreal, hereinafter called "the Corporation," such sums of money, not exceeding in the whole the sum of two hundred and fifty thousand dollars, as are required to enable the Corporation to redeem certain debentures issued by them in 1876 and falling due in July next.

Debentures to be deposited with Minister of Finance.

2. The Corporation shall, upon any advance being made, deposit with the Minister of Finance and Receiver General debentures of the Corporation equal in par value to the advance so made, (which debentures the Corporation are hereby authorized to issue), and such debentures so issued shall be of such amounts as the Minister of Finance and Receiver General determines, and shall bear date on the day when such advance is made, and shall be payable within twenty-five years from the date of their issue, and in the meantime shall bear interest at the rate of three per cent per annum, such interest to be payable half yearly, on the first day of July and the first day of January in each year.

Payment of loans.

3. The principal and interest of the sums advanced under the authority of this Act to the Corporation shall be paid by the Corporation out of its revenue mentioned in section 8 of chapter 10 of the statutes of 1896 (first session), and shall be a charge upon the said revenue in the same manner and to the same extent as if the sums so advanced had been borrowed by the Corporation under the said chapter 10.

No. 222.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to provide for further advances to the Harbour Commissioners of Montreal.

First reading, June 30, 1906.

MR. BRODEUR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 223.] **BILL.** [1906.

An Act to amend the Fisheries Act.

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

1. Section 6A of the Fisheries Act, chapter 95 of the Revised Statutes, as enacted by chapter 13 of the statutes of 1904, is amended by adding thereto the following subsection:— R.S.C., c. 95, s. 68A amended.

"14. Notwithstanding anything in this section, the license fee payable for any vessel or boat engaged in the whale fishery or hunting whales within the waters of Hudson Bay, or the territorial waters of Canada north of the 55th parallel of north latitude, if not so engaged or hunting in connection with a factory established in Canada, shall be fifty dollars for each year; and, inasmuch as Hudson Bay is wholly territorial water of Canada, the requirements of this section as to licensing, and as to the fee payable therefor, shall apply to every vessel or boat engaged in the whale fishery or hunting whales in any part of the waters of Hudson Bay, whether such vessel or boat belongs to Canada, or is registered and outfitted in, or commences her voyage from, any other British or foreign country." Licenses for whaling in Hudson Bay.

No. 223.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act to amend the Fisheries Act.

First reading, June 30, 1906.

Mr. BRODEUR.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

No. 224.] **BILL.** [1906.

An Act relating to the Supreme Court of Judicature of the province of New Brunswick.

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

Meaning of Supreme Court in past Acts.

1. Whenever in any Act of the Parliament of Canada heretofore passed or that may be passed before the bringing into force of the Act of the Legislature of the province of New Brunswick, 6 Edward VII., chapter 37, relating to the establishment of a Supreme Court of Judicature and to the practice and proceedings therein, the Supreme Court of the said Province is named, such Act shall, after the said Act, 6 Edward VII., chapter 37, is brought into force, be construed as if the Court therein named was the Court established by the said Act.

Powers and duties of court.

2. Whenever in or under any such Act or otherwise any powers, rights or duties are conferred or imposed upon, or vested in or incumbent upon, the said Supreme Court of the said Province or any judge or judges thereof, such powers, rights or duties after the said Act has been brought into force, shall, so far as the Parliament of Canada has legislative authority to so enact, be deemed to have been conferred or imposed upon or to be vested in and incumbent upon the Court established as aforesaid or any judge or judges thereof.

Jurisdiction of court in banc execisable by Appeal Division.

3. Any jurisdiction or authority heretofore vested in the Supreme Court of the said province which has been exercised or is exerciseable by the said Court when sitting in banc, shall, after the said Act is brought into force, so far as the Parliament of Canada has legislative authority to so enact, be vested in and exerciseable by the Appeal Division of the Court established by the said Act.

No. 224.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

BILL.

An Act relating to the Supreme Court of Judicature of the province of New Brunswick.

First reading, July 3, 1906.

Mr. Aylsworth.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

A.] **BILL.** [1906.

An Act to amend The Supreme and Exchequer Courts Act.

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

R.S.C., c. 135, new s. 3.

1. Section 3 of *The Supreme and Exchequer Courts Act*, chapter 135 of the Revised Statutes, as the said section is enacted by Schedule A to chapter 16 of the statutes of 1887, is repealed, and the following is substituted therefor:—

Supreme Court continued.

"**3.** The court of common law and equity in and for Canada now existing under the name of The Supreme Court of Canada, is hereby continued under that name, as a general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a court of record."

Section 4 amended.

2. Subsections 1 and 2 of section 37 of the said chapter 135 of the Revised Statutes, as the said section is enacted by section 4 of chapter 25 of the statutes of 1891, are repealed, and the following are substituted therefor:—

Governor may refer certain questions for opinion.

"**37.** Important questions of law or fact touching—

"(*a*) the interpretation of *The British North America Acts*, 1867 *to* 1886: or

"(*b*) the constitutionality or interpretation of any Dominion or provincial legislation; or

"(*c*) the appellate jurisdiction as to educational matters, by *The British North America Act*, 1867, or by any other Act or law vested in the Governor in Council; or

"(*d*) the powers of the Parliament of Canada or of the legislatures of the provinces, or of the respective governments thereof, whether or not the particular power in question has been or is proposed to be executed; or

"(*e*) any other matter, whether or not in the opinion of the court *ejusdem generis* with the foregoing enumerations, with reference to which the Governor in Council sees fit to submit any such question;—

"may be referred by the Governor in Council to the Supreme Court for hearing and consideration, and any question touching any of the matters aforesaid, so referred by the Governor in Council, shall be conclusively deemed to be an important question."

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

A

An Act to amend the Supreme and Exchequer Courts Act.

Received and read a first time, Wednesday, 14th March, 1906.
Second reading, Monday, 19th March, 1906.

Honourable Mr. SCOTT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

Opinion of court.

"2. When any such reference is made to the court it shall be the duty of the court to hear and consider it, and to answer each question so referred; and the court shall certify to the Governor in Council, for his information, its opinion upon each such question, with the reasons for each such answer; and such opinion shall be pronounced in like manner as in the case of a judgment upon an appeal to the said court; and any judge who differs from the opinion of the majority shall in like manner certify his opinion and his reasons."

THE SENATE OF CANADA.

B.] **BILL.** [1906.

An Act further to amend The Canada Evidence Act, 1893.

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

1. Section 4 of *The Canada Evidence Act*, 1893, is repealed, and the following is substituted therefor:— 1893, c. 31, s. 4 repealed and new section substituted.

"**4.** Every person charged with an offence, and, except as hereinafter provided, the wife or husband, as the case may be, of the person so charged, shall be a competent witness for the defence, whether the person so charged is charged solely or jointly with any other person: Provided, however, that no husband shall be compellable to disclose any communication made to him by his wife during their marriage, and no wife shall be compellable to disclose any communication made to her by her husband during their marriage. Competency of accused and of wife or husband. Proviso: as to communications during marriage.

"2. The failure of the person charged, or of the wife or husband of such person, to testify, shall not be made the subject of comment by the judge or by counsel for the prosecution in addressing the jury. As to comment on failure to testify.

"3. The wife or husband of a person charged with an offence against any of the sections of *The Criminal Code*, 1892, mentioned in schedule C to this Act, may be called as a witness either for the prosecution or defence and without the consent of the person charged. When wife or husband may be called as witness.

"4. Nothing in this Act shall affect a case where the wife or husband of a person charged with an offence may at common law be called as a witness without the consent of that person." Effect on common law rules.

2. The following schedule is added to *The Canada Evidence Act*, 1893, as schedule C thereof:— 1893, c. 31, Schedule C added.

SCHEDULE C.

Sections of *The Criminal Code*, 1892, referred to in section 4:—

1892, chapter 29, sections 174, 175, 176, 177, 178, 181, 182, 184, 185, 186, 188, 207, 215, 216, 266, 267, 268, 269, 270, 275, 276, 277, 279, 281, 282 and 283; and, as enacted by section 3 of chapter 46 of the statutes of 1900, sections 183, 187, 189, 279 and 284.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

B

An Act further to amend The Canada Evidence Act, 1893.

Received and read a first time, Wednesday, 14th March, 1906.
Second reading, Tuesday, 20th March, 1906.

Honourable Mr. SCOTT.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

C.] **BILL.** [1906.

An Act further to amend The General Inspection Act.

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

1. Section 44 of *The General Inspection Act*, chapter 99 of the Revised Statutes, as enacted by section 4 of chapter 25 of the statutes of 1899, is hereby further amended by adding to sub-section 3 thereof, which fixes the grades of hay, the following further grades and provisions which shall apply only to hay grown and inspected within the limits of the Manitoba Inspection Division as defined by subsection (*b*) of section 6 of *The Grain Inspection Act*, chapter 15 of the statutes of 1904, that is to say:— R.S.C., c. 99, s. 44 and 1899, c. 25, s. 4, subs. 3. Hay. Further grades and provisions. Applicable only in Manitoba Inspection Division.

Choice prairie upland hay, shall be Red Top or Peavine hay of bright colour, dry, well cured, sweet and sound;

No. 1 upland hay, shall be Upland or Red Top and may contain one-quarter Midland, Peavine or Wild Vetch; all dry, well cured, of good colour, sound and reasonably free from weeds;

No. 2 prairie upland hay, shall be Upland of fair colour or Midland of good colour, all dry, well cured, sweet, sound and reasonably free from weeds;

No. 1 mixed prairie hay, shall be Midland of fair colour, or Slough or Scotch Grass of good colour, dry, not caked or in a heating condition.

No grade hay, shall include all hay that is damp, or otherwise unfit for storage, and shall be entered on the inspecting officers' books as "No Grade," with his notes as to quality and condition;

Rejected hay, shall consist of hay containing Fox Tail or Spear Grass, or hay heated or otherwise damaged, and shall include all hay not good enough for other grades;

When hay that is baled is inspected, the inspecting officer shall note in his book the character and condition of the fastenings of the bales;

All inspecting officers shall make their reasons for grading hay, when necessary, fully known by notes in their books.

The fees for the inspection of hay in the Manitoba Inspection Division shall be such as are determined by the Governor in Council, who may from time to time increase or reduce them.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

C

An Act further to amend The General Inspection Act.

Received and read a first time, Tuesday, 24th April, 1906.
Second reading, Thursday, 26th April, 1906.

Sir RICHARD CARTWRIGHT, K.C.M.G.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

E.] **BILL.** [1906.

An Act to incorporate The Canadian Handicrafts Guild.

WHEREAS the persons hereinafter mentioned have by their petition represented that they are desirous of being incorporated under the name of "The Canadian Handicrafts Guild" as a benevolent association for the purposes of encouraging, retaining, reviving and developing Canadian handicrafts and home and art industries, providing markets for the same, facilitating and spreading habits of home industry and thrift, holding and taking part in exhibitions, providing any kind of instruction connected with the objects aforesaid, and carrying on all sorts of business operations necessary for the said objects, but without personal profit to the members of the Guild; and whereas it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The Right Honourable Lord Strathcona and Mount Royal, their Lordships Chief-Justice the Honourable Sir Melbourne M. Tait, the Honourable Georges Baby, retired Judge of the King's Bench, and the Honourable Louis Wilfred Sicotte, Judge of Sessions; the Honourable Sir George A. Drummond and Sir William Hingston, Senators; the Honourable Louis Oliver Taillon, King's Counsel, ex-Premier of Quebec; Henri Beaugrand, gentleman, ex-Mayor of Montreal; William Douw Lighthall, advocate; Edward W. H. Phillips, notary; Charles Auguste Harwood, advocate; Miss Mary M. Phillips, President of the Canadian Handicrafts Guild; Misses Mary Muir, and J. Mildred Robertson, Mrs. Mary Cronyn Molson, Lady Lily M. Tait, Mrs. Mary E. Chaffee, Mrs. Jean H. Woods, Mrs. Cybel Wilkes Lighthall, Mrs. Lena Armstrong, Mrs. Mary Peck, all of the city of Montreal, together with such other persons as may be hereafter associated with them as corporators, are hereby constituted a body politic and corporate under the name of "The Canadian Handicrafts Guild," hereinafter called "the Guild." Incorporation. Corporate name.

2. The objects of the Guild shall be:— Objects.

(1.) To encourage, retain, revive and develope Canadian handicrafts and art industries throughout the Dominion.

(2.) To prevent the loss, extinction and deterioration of the same.

(3.) To encourage and preserve any such crafts and industries possessed by new settlers.

(4.) To aid people skilled in any such crafts and industries, by providing markets for their products in Canada and abroad.

(5.) To encourage industry in the homes of the people by making it profitable and honourable.

(6.) To carry on and take part in exhibitions of home-arts, industries and crafts.

(7.) To provide instruction in and proper direction for such arts, industries and crafts.

(8.) To educate the public to the value of such arts, industries and crafts and of good hand work.

(9.) To keep records of the same, in order to prevent their extinction.

General powers.

3. The Guild shall have power, for the objects aforesaid,—

(*a.*) To buy and sell goods, wares and merchandise, and to engage in all kinds of commercial transactions incidental and necessary thereto, subject to the provisions of section 14 of this Act.

(*b.*) To take, hold, possess and acquire by purchase, exchange, donation, devise, bequest, endowment or otherwise, all such moveable or immoveable property as may be required for the use of the Guild or for the purpose of procuring revenue, and the same to sell, mortgage, pledge, hypothecate or alienate in any manner whatever;

(*c.*) To borrow money;

(*d.*) To exhibit goods wherever desirable, to hold exhibitions and to open depots, stores and shops;

(*e.*) To appoint agents and instructors and to open schools and classes any where, for instruction in and concerning the objects aforesaid.

Corporators.

4. The corporators shall be composed of the persons mentioned in section 1 of this Act and of the patrons, life governors, life members and members qualified as provided by this Act and by the constitution and by-laws of the Guild.

General committee.

5. The affairs of the Guild shall be managed by a general committee, which shall be elected annually by the corporators at the annual general meeting, in such manner and with such power as may be decided from time to time by the constitution and by-laws of the Guild.

Executive committee.

6. The general committee may appoint, out of its own members, an executive committee to administer the business and affairs of the Guild until replaced by their successors.

Officers.

7. The general committee shall also have power to elect from among themselves a president, an honourary president, an honourary vice-president, and such vice-presidents, treasurers, secretaries and other officers as they may think best.

8. The general committee shall, subject to the provisions of this Act, have full power and ultimate control and management of all the property, moveable and immoveable, of the Guild, of every kind and description, and may, from time to time, make, repeal and amend by-laws, resolutions, rules and regulations for the following purposes, namely:— Powers of general committee. By-laws.

(1.) The election of officers.

(2.) The management, direction, good government and control of the Guild and of its property and operations of every kind and description, and of all its departments, depots and branches, including all matters and things incidental thereto and necessary and expedient for the management, administration, use and improvement thereof; the establishment, direction and control of the buying, selling, shipping, banking, investing, storing, financial, travelling, lecturing, teaching, exhibiting, and educational matters and propaganda of every kind and description in connection therewith, including the appointment, dismissal and payment of all employees and instructors and all other agents of every kind; and finally to provide for, decide and regulate all matters and things falling within the power of the Guild, except such as are otherwise specially provided for in this Act.

(3.) To fix and determine from time to time all matters and things concerning the constitution of and representation on the said general committee, and of the said executive committee:

Provided that no addition to, repeal or amendment of the said by-laws, resolutions, rules and regulations dealing with the matters referred to in paragraph 3 of this section shall come into force until confirmed at a meeting of the Guild, specially called for the purpose, or at the next annual general meeting of the Guild, after due notice.

9. Seven members of the general committee shall form a quorum, which may be changed from time to time by the annual general meeting. Quorum of general committee.

10. The following persons shall be the first general committee and officers of the Guild, namely:— First general committee.

Honourary president, The Right Honourable Lord Strathcona and Mount Royal; honourary vice-president, The Honourable Sir Melbourne Tait; president, Miss Mary M. Phillips; treasurer, Miss Mary D. Muir; secretaries, Mrs. Mary Cronyn Molson and Mrs. Cybel W. Lighthall; and Mrs. Mary Peck, Mrs. Mary E. Chaffee, Mrs. Jean H. Woods, William D. Lighthall, Edward W. H. Phillips, Lady Tait, Mrs. Lena Armstrong and Miss J. Mildred Robertson.

2. The said first general committee and officers shall have all the powers by this Act conferred on the general committee and officers, and shall hold office until their successors are appointed under the provisions of this Act.

11. Any person who contributes to the general funds of the Guild the sum of fifty dollars, or a gift in kind equivalent thereto in the estimation of the general committee, or any per- Life members.

son indicated in his stead by such contributor, may be elected by the general committee a life member of the corporation; but this amount of qualification may be increased by the general committee.

Head office. Annual meeting. Proxies.

12. The head office of the Guild shall be at the city of Montreal, where the annual general meeting shall be held. Members not present may vote by proxy.

Branches, &c.

13. The Guild may establish branches wherever and whenever it may decide to do so, and may carry on its operations outside of the Dominion wherever it may deem advisable.

Personal profit by members forbidden. Compensation for time and expense.

14. The members of the Guild shall not make any personal profit out of its affairs; provided that the general committee may allow fair compensation and re-imbursement for any time actually occupied or lost by any member in connection with the affairs of the Guild, or for any sums and expenses expended on behalf of the Guild.

Dealings to be for cash.

15. The Guild shall carry on its buying and selling operations on a cash basis only, but may accept goods for sale on commission, or on any terms as agent.

Goods to be insured.

16. The Guild shall as far as practicable cause the stocks of goods belonging to it to be kept constantly insured against fire.

2nd Session, 10th Parliament, 6 Edward VII.,

THE SENATE OF CANADA.

E

BILL.

An Act to incorporate The Canadi
Handicrafts Guild.

Received and read a first time, Thurs
26th April, 1906.
Second reading, Tuesday 1st May, 19

Honourable Mr. FRO

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

F.] **BILL.** [1906.

An Act for the relief of Mary Emeline Preston.

WHEREAS Mary Emeline Preston, of the township of South Crosby, in the county of Leeds, in the province of Ontario, seamstress, wife of Francis Preston, of Thessalon, in the district of Algoma, in the province of Ontario, liveryman, hath by her petition set forth that on the twenty-sixth day of December, A.D. 1888, she was lawfully married to him; that in A.D. 1890 he deserted her and has not since then resided with her; that subsequently, and during A.D. 1891, he, at the township of Elizabethtown, in the county of Leeds, in the province of Ontario, committed 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between the said Mary Emeline Preston and Francis Preston, her husband, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Mary Emeline Preston may, at any time hereafter, marry any man whom she might lawfully marry if the said marriage with the said Francis Preston had not been solemnized. Right to marry again.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

F

BILL.

An Act for the relief of Mary Emeline Preston.

Received and read a first time, Wednesday, 2nd May, 1906.
Second reading, Friday, 4th May, 1906.

Honourable Mr. FROST.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

G.] [1906.

An Act for the relief of John Albert Peer.

Preamble.

WHEREAS John Albert Peer, of the city of Toronto, in the county of York, in the province of Ontario, merchant, has by his petition humbly set forth that on the first day of December, A.D. 1884, he was lawfully married to Ellen Lillian Peer, then Ellen Lillian Hughes, at the city of Toronto; that they cohabited until on or about the fourth day of May, A.D. 1903, when she deserted him and went to the city of Hamilton, in the county of Wentworth, in the province of Ontario, to the residence of one William H. Peer, with whom she subsequently went to the city of London, in the county of Middlesex, in the province of Ontario; that she has been ever since the fourth day of May, A.D. 1903, and is now, cohabiting and living in open adultery with the said William H. Peer; that ever since the fourth day of May, A.D. 1903, the petitioner has lived separate and apart from her and has not cohabited with her; and whereas he has humbly prayed that the said marriage may be dissolved, and that he may be authorized to marry again and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition and it is expedient that the prayer thereof be granted; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said John Albert Peer and Ellen Lillian Peer, his wife, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said John Albert Peer may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Ellen Lillian Peer had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

G

BILL.

An Act for the relief of John Albert Peer.

Received and read a first time, Tuesday, 8th May, 1906.
Second reading, Thursday, 10th May, 1906.

Honourable Mr. KERR,
(Cobourg).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

H.] **BILL.** [1906.

An Act to amend the Railway Act, 1903, with respect to the operation of mortgages.

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

1. Subsection 1 of section 112 of the Railway Act, 1903, is hereby amended by striking out therefrom, in the fifth line thereof, the words "property, assets." 1903, c. 58, s. 112, amended. Bond mortgages.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

SENATE OF CANADA.

BILL.

H

An Act to amend the Railway Act, 1903, with respect to the operation of mortgages.

Received and read a first time, Tuesday, 8th May, 1906.
Second reading, Thursday, 10th May, 1906.

Honourable Mr. BÉIQUE.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

I.] **BILL.** [1906.

An Act respecting the Extrajudicial Employment of Judges.

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

Judges who are commissioners not to be paid anything but travelling expenses.

1. If a judge of any Dominion or provincial court who is appointed by the Governor General or by the Governor General in Council, holds or acts under any commission to inquire into any matter relating to the good government of Canada or any province of Canada, or to the conduct of any part of the public business of Canada or any province of Canada, or to the conduct in office of any Minister of the Crown or of any person in the service of Canada or any province of Canada, whether such commission is issued under the authority of—

any Act of the Parliament of Canada, except chapter 133 of *The Revised Statutes* respecting the judges of Provincial Courts, or—

any statute or ordinance in force in any province of Canada; or—

any other power to issue such commissions possessed by the Governor in Council or by any Lieutenant Governor in Council,—

no emolument, fee or remuneration whatsoever shall be payable or paid to, or be received by such judge, in respect of his services on or about such commission, other than the salary payable by law to him as a judge, except such necessary travelling expenses as are actually incurred by him in discharge of such commission and are certified by him as having been so incurred.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

I

An Act respecting the Extrajudicial Employment of Judges.

Received and read a first time, Wednesday, 9th May, 1906.
Second reading, Wednesday, 16th May, 1906.

Honourable Mr FERGUSON.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

J.] **BILL.** [1906.

An Act respecting the St. Mary River Bridge Company.

Preamble.

WHEREAS the St. Mary River 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1901, c. 112, s. 13.

1. Section 13 of chapter 112 of the statutes of 1901, is hereby repealed and the following section is substituted therefor:—

New section substituted.

"The works hereby authorized shall be commenced within two years after the Executive of the United States, or other competent authority, has consented to and approved such bridging, and shall be completed within five years thereafter, otherwise the powers granted by this Act shall cease and shall be null and void as respects so much of the undertaking as then remains uncompleted; provided, however, that if such consent is not obtained within five years from the twenty-third day of May, 1906, the powers granted for the construction of the said works shall cease and be null and void."

Time for construction extended five years.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

J

An Act respecting the St. Mary River Bridge Company.

Received and read a first time, Wednesday, 9th May, 1906.
Second reading, Friday, 11th May, 1906.

Honourable Mr. KERR,
(Toronto.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

K.] **BILL.** [1906.

An Act respecting the Pacific and Atlantic Railway Company.

Preamble.

WHEREAS the Pacific and Atlantic Railway Company has by its petition represented that it was incorporated by chapter 76 of the statutes of the province of Ontario of 1886, that subsequently, by various statutes of the said province, namely, by chapter 120 of 1900, chapter 89 of 1902, and chapter 104 of 1905, the said Act of incorporation was revised and amended and the times for the commencement and completion of the lines of railway of the said company were extended respectively until the twenty-fifth day of May, 1906, and the twenty-fifth day of May, 1910; and has prayed that it be enacted as hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Ontario Statutes. 1886, c. 76; 1900, c. 120; 1902, c. 89; 1905, c. 104.

Interpretation.

1. In this Act the expression "the Company" means the body politic and corporate created by chapter 76 of the statutes of Ontario of 1886 and continued by the said amendments thereto, and the lines of railway which the Company is thereby empowered to construct are hereby declared to be works for the general advantage of Canada.

Declaration for general advantage of Canada.

Power to build lines of railway.

2. The Company may lay out, construct and operate the ines of railway mentioned in section 1 of this Act, and if the construction of the said lines of railway is not commenced and fifteen per cent on the amount of the capital stock is not expended thereon by the first day of July, 1908, or if the said lines of railway are not finished and put in operation by the first day of July, 1911, then the powers of construction granted to the Company shall cease and be null and void as respects so much of the said lines of railway as then remains uncompleted.

Limitation of time for construction.

Agreements with other companies.

3. Subject to the provisions of sections 281 to 283, both inclusive, of *The Railway Act*, 1903, the Company may enter into agreements with all or any of the companies hereinafted specified for any of the purposes specified in the said section 281, such companies being the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Company, the Manitoulin and North Shore Railway Company, the Algoma Central and Hudson Bay Railway Company, the Ontario, Hudson's Bay and Western Railway Company and the Canada Central Railway Company.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

K

An Act respecting the Pacific and Atlantic Railway Company.

Received and read a first time, Wednesday, 9th May, 1906.
Second reading, Friday, 11th May, 1906.

Honourable Mr. KERR,
(Toronto.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

L.] **BILL.** [1906.

An Act respecting the James Bay Railway Company.

WHEREAS the James Bay Railway Company has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1895, c. 50. 1897, c. 47. 1899, c. 71. 1902, c. 65. 1904, c. 88. 1905, c. 110.

1. This Act may be cited as *The James Bay Railway Act*, 1906. Short title.

2. The James Bay Railway Company, hereinafter called the Company, may construct a line of railway from a point on its authorized line between Key River and French River in the Province of Ontario to a point on the Georgian Bay at or near the mouth of Key Inlet. New line authorized.

3. Section 3 of Chapter 50 of the statutes of 1895 is hereby amended by striking out therefrom the words "the easterly side of Lake Wahnapitae and thence to" in the fifth and sixth lines of such section. 1895, c. 50, s. 3, amended, as to route from Parry Sound to James's Bay.

4. The limit to the amount of securities specified in section 4 of *The James Bay Railway Act*, 1905, shall apply to the lines of railway authorized or referred to in sections 2 and 3 of this Act. Bond issue. Limit $30,000 per mile for all purposes.

5. Unless the Company commences within two years and completes and puts in operation within five years after the passing of this Act the lines of railway hereinbefore authorized or referred to, the powers granted for construction shall cease with respect to so much of the said lines as then remains uncompleted. Limitation of time for construction.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

L

BILL.

An Act respecting the James Bay Railway Company.

Received and read a first time:

Thursday, 10th May, 1906.

Second reading:

Tuesday, 15th May, 1906.

Honourable Mr. KERR,
(Toronto).

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

M.] **BILL.** [1906.

An Act respecting The Monarch Bank of Canada.

Preamble.

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

1905, c. 125.

Extension of time for Treasury Board certificate.

1. Notwithstanding anything in *The Bank Act* or in Chapter 125 of the Statutes of 1905, incorporating The Monarch Bank of Canada, the Treasury Board may, within one year after the twentieth day of July, One thousand nine hundred and five, give to the said Bank the certificate required by Section 14 of *The Bank Act*.

1890, c. 31, s. 14.

Application of 1890, c. 31, s. 16, as to charter.

2. In the event of the said Bank not obtaining the said certificate from the Treasury Board within the time aforesaid, the rights, powers and privileges conferred on the said Bank by the said Act of incorporation and by this Act shall thereupon cease and determine; but otherwise shall remain in full force and effect, notwithstanding Section 16 of *The Bank Act*.

Provisional directors.

3. The provisional directors of the Bank, or a majority of them, may appoint other persons, not exceeding eight in number, as provisional directors, and, in case any provisional director dies or resigns, the remaining provisional directors for the time being, or a majority of them, may appoint a provisional director in place of the one so resigning.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

M

An Act respecting The Monarch Bank of Canada.

Received and read a first time:

Tuesday, 15th May, 1906.

Second reading:

Friday, 18th May, 1906.

Honourable Mr. KERR,
(Toronto.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

N.] **BILL.** [1906.

An Act to incorporate The Pacific and Eastern Railway Company.

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

1. Sir Henry Mill Pellatt, of the city of Toronto in the province of Ontario, knight; Benjamin F. Pearson, of the city of Halifax in the province of Nova Scotia, manufacturer; John Thomas Bethune, of the city of Ottawa in the province of Ontario, financial agent; Hugh Blain, of the city of Toronto aforesaid, wholesale merchant; and Emmanuel Tassé, of the city of Ottawa aforesaid, journalist, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Pacific and Eastern 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 of the Company shall be twenty-five millions of dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital. Calls.

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

5. The annual meeting of the shareholders shall be held on the first Monday in April. Annual meeting.

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

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point at or near the city of Victoria in the province of British Columbia, thence northerly by the most feasible route to a point at or near the northerly end of Vancouver Island, thence to the main land to a point at or near Bute Inlet; thence east- Line of railway described.

erly through the District of Cariboo, *via* the Yellow Head Pass to Edmonton in the province of Alberta; thence easterly to a point at or near Prince Albert in the province of Saskatchewan; thence north-easterly, by the most feasible route, to Fort Churchill on Hudson Bay; and also a branch line from Edmonton to Dunvegan on the Peace River.

Branch.

Additional powers.

Vessels, wharfs, &c.

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

(*a*) Construct, acquire and navigate steam and other vessels for the convenience of passengers, goods and merchandise and construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith;

Electricity and water power.

(*b*) generate electricity for the purpose of supplying light, heat and power, and acquire and develop water-powers for the purpose of generating electricity, and lease, sell, distribute and otherwise dispose of the same;

Irrigation canals.

(*c*) construct, operate and maintain irrigation canals;

Hotels and theatres.

(*d*) build, purchase, lease or otherwise acquire hotels and theatres at any point or points along the line of said railway, and maintain, operate and conduct such hotels and theatres;

Telegraph and telephone lines.

(*e*) construct, equip, maintain and operate telegraph and telephone lines in connection with the said railway and its branches and transmit messages for the public over said telegraph and telephone lines and collect rates and charges therefor: provided that no rate or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until such rate or charge has been approved of by the Governor General in Council, who may also revise such rates and charges from time to time.

Issue of securities.

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

2nd Session, 10th Parliament, 6 Edward VII., 1

THE SENATE OF CANADA.

BILL.

N

An Act to incorporate The Pacific a Eastern Railway Company.

Received and read a first time:

Tuesday, 15th May, 1906.

Second reading:

Thursday, 17th May, 1906.

Honourable Mr. BOSTOCK.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

O.] **BILL.** [1906.

An Act for the relief of William Napoleon Vaughan.

Preamble.

WHEREAS William Napoleon Vaughan, of the county of Pontiac, in the province of Quebec, lumberman's agent, has by his petition set forth that on the first day of December, A.D. 1894, he was lawfully married, at Fort Coulonge, in the said county of Pontiac, to Sarah Jane Letts; that they cohabited until the month of January, A.D. 1902, and had issue of the said marriage one child, presently living with the petitioner; that on the last-mentioned date he discovered, as the fact was, that, since their marriage, she had been living an irregular life and had at various times committed adultery with divers persons, and thereupon he separated from her and has ever since continued to live apart from her; and whereas he has humbly prayed that the said marriage may be dissolved, and that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said William Napoleon Vaughan and Sarah Jane Vaughan, his wife, is hereby dissolved and shall henceforth be null and void to all intents and purposes whatever.

Right to marry again.

2. The said William Napoleon Vaughan may at any time hereafter marry any woman whom he might lawfully marry if the said marriage with the said Sarah Jane Vaughan had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

0

BILL.

An Act for the relief of William Napoleon Vaughan.

Received and raad a first time:

Tuesday, May 15th, 1906.

Second reading:

Thursday, May 17th, 1906.

Honourable Mr. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

P.] **BILL.** [1906.

An Act for the relief of Charles William Holmes.

Preamble.

WHEREAS Charles William Holmes, of the village of Rock Island, in the district of Saint Francis, in the province of Quebec, professor of music, has, by his petition alleged, in effect, that he was lawfuliy married to Alice Bryant, at Stanstead, in the district of Saint Francis, in the province of Quebec, on the thirtieth day of August, A.D. 1894; that at the time of the said marriage he was domiciled in Canada and has ever since continued to be so domiciled; that they cohabited until the sixteenth day of June, A.D. 1904, when she deserted him; that at diners times between the months of August, A.D. 1903 and November, 1905, at divers places both in the province of Quebec and in the United States of America, she committed adultery with one John E. C. Tompkins, doctor of medicine; and whereas the said Charles William Holmes has humbly prayed that the said marriage may be dissolved, that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said Charles William Holmes and the said Alice Bryant, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Charles William Holmes may at any time hereafter marry any other woman whom he might lawfully marry if the said marriage with the said Alice Bryant had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

P

BILL.

An Act for the relief of Charles William Holmes.

Received and read a first time:

Tuesday, May 15th, 1906.

Second reading:

Thursday, May 17th, 1906

Honourable Mr. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

P.] **BILL.** [1906.

An Act for the relief of Charles William Holmes.

Preamble.

WHEREAS Charles William Holmes, of the village of Rock Island, in the district of Saint Francis, in the province of Quebec, professor of music, has, by his petition alleged, in effect, that he was lawfuliy married to Alice Bryant, at Stanstead, in the district of Saint Francis, in the province of Quebec, on the thirtieth day of August, A.D. 1894; that at the time of the said marriage he was domiciled in Canada and has ever since continued to be so domiciled; that they cohabited until the sixteenth day of June, A.D. 1904, when she deserted him; that at diners times between the months of August, A.D. 1903 and November, 1905, at divers places both in the province of Quebec and in the United States of America, she committed adultery with one John E. C. Tompkins, doctor of medicine; and whereas the said Charles William Holmes has humbly prayed that the said marriage may be dissolved, that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said Charles William Holmes and the said Alice Bryant, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Charles William Holmes may at any time hereafter marry any other woman whom he might lawfully marry if the said marriage with the said Alice Bryant had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

P

BILL.

An Act for the relief of Charles William Holmes.

Received and read a first time:

Tuesday, May 15th, 1906.

Second reading:

Thursday, May 17th, 1906

Honourable Mr. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

Q.] **BILL.** [1906.

An Act for the relief of Minnie Florence Irvine.

Preamble.

WHEREAS Minnie Florence Irvine of the city of Calgary, in the province of Alberta, wife of James Irvine, formerly of the said city of Calgary, presently of the city of Detroit, in the State of Michigan, one of the United States of America, baker, has by her petition alleged, in effect, that on the fifteenth day of October, A.D. 1896, she was lawfully married to him; that he was then domiciled in Canada; that in July A.D. 1898, he deserted her and has not since then resided with her; that since such desertion he has resided in the United States of America; that subsequently and during the year 1900, at the city of Rochester, in the state of New York, one of the United States of America, he committed adultery and since that time and until May A.D. 1905, did live in adultery in the said city of Rochester; 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 expedieut that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:—

Marriage dissolved.

1. The said marriage between the said Minnie Florence Irvine and James Irvine, her husband, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Minnie Florence Irvine may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Irvine had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

Q

An Act for the relief of Minnie Florence Irvine.

Received and read a first time:

Tuesday, May 15th, 1906.

Second reading;

Thursday, May 17th, 1906.

Honourable Mr. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

R.] **BILL.** [1906.

An Act for the relief of Harriette Wesley Baker.

WHEREAS Harriette Wesley Baker, of the city of Hamilton, in the county of Wentworth, in the province of Ontario, wife of Francis Shaw Baker, formerly of the said city, clerk, but now residing in or near the town of Newburyport, in the county of Essex, in the state of Massachusetts, one of the United States of America, has by her petition set forth that on the first day of January, A.D. 1890, she was lawfully married to him at the village of Grimsby, in the county of Lincoln, in the province of Ontario; that they cohabited until midsummer A.D. 1901, when, without lawful reason or excuse, he treated her with great cruelty, committed adultery with one Emily S. Dakin, deserted the petitioner, and went to the United States; that he has ever since lived apart from the petitioner; that he has committed other acts of adultery with the said Emily S. Dakin at various places in the United States; that in A.D. 1903 he went through a form of marriage with the said Emily S. Dakin at the city of Boston, in the said state of Massachusetts and has ever since continued to live in adultery with her; and whereas the said Harriette Wesley Baker 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The marriage between the said Harriette Wesley Baker and Francis Shaw Baker, her husband, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever Marriage dissolved.

2. The said Harriette Wesley Baker may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Francis Shaw Baker had not been solemnized. Right to marry again.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

R

BILL.

An Act for the relief of Harriette Wesley Baker.

Received and read a first time:

Tuesday, May 15th, 1906.

Second reading:

Thursday, May 17th, 1906.

Honourable Mr. KERR,
(Cobourg.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

S.] **BILL.** [1906.

An Act to amend *The Criminal Code*, 1892, as respects Lotteries.

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

1. Subsection 6 of section 205 of *The Criminal Code*, 1892, as the said subsection is enacted by section 2 of chapter 42 of the statutes of 1901, is hereby amended by adding thereto the following as paragraph (*c.*) thereof:— 1892, c. 29, s. 205, ss. 6, and 1901, c. 42, s. 2, amended.

"(*c.*) Any distribution by lot, among the members or ticket holders of any Art Union established and maintained solely for the encouragement of art, of any work of art produced by the labour of the members of, or published by or under the direction of, or presented to, such Art Union, if— Certain Art Unions excepted from operation of Criminal Law as to lotteries.

(i) such Art Union is incorporated under the laws of the United Kingdom, and has obtained permission from the Governor in Council to sell in Canada tickets or chances for such distribution; and

(ii.) such tickets or chances are solely for the distribution of works of art, and the Art Union does not in any manner give money prizes and does not exchange any work of art so distributed for any valuable consideration other than another work of art of like nature."

2nd Session, 10th Parliament, 6 Edward VII., 1906.

SENATE OF CANADA.

BILL.

S

An Act to amend *The Criminal Code*, 1892, as respects Lotteries.

Received and read a first time:

Wednesday, 16th May, 1906.

Second reading:

Wednesday, 30th May, 1906.

Honourable Mr. ELLIS.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

T.] **BILL.** [1906.

An Act to incorporate the Colonial Bank of Canada.

WHEREAS the persons hereinafter named have, by their petition, prayed that an Act be passed for the purpose of establishing a bank in Canada, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The persons hereinafter named, together with such others as may become shareholders in the corporation by this Act created, are hereby constituted a corporation by the name of "The Colonial Bank of Canada," hereinafter called "the Bank." Incorporation. Corporate name.

2. The capital stock of the Bank shall be three millions of dollars. Capital.

3. The chief office of the Bank shall be at the city of Winnipeg, in the province of Manitoba. Chief office.

4. Edward Brown, of the town of Portage la Prairie, in the province of Manitoba, merchant; George F. Carruthers, of the city of Winnipeg, in the said province, insurance agent; Hugh John MacDonald, of the said city of Winnipeg, one of His Majesty's Counsel; William Pearson, of the said city of Winnipeg, financial agent; Herbert Henry Beck, of the city of Toronto, in the province of Ontario, insurance manager; William M. Gibson, of the said city of Winnipeg, merchant, and Robert Barclay, of the said city of Winnipeg, Esquire, shall be the provisional directors of the Bank. Provisional directors.

5. This Act shall, subject to the provisions of section 16 of *The Bank Act*, remain in force until the first day of July in the year one thousand nine hundred and eleven. Duration of charter. 1890, c. 31.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

T

An Act to incorporate The Colonial Bank of Canada.

Received and read a first time:

Thursday, 17th May, 1906.

Second reading:

Tuesday, 29th May, 1906.

Honourable Mr. YOUNG.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

U.] **BILL.** [1906.

An Act respecting the sale and marking of manufactures of Gold and Silver.

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

1. This Act may be cited as "*The Gold and Silver Marking Act*, 1906." Short title.

2. If any article is exposed or offered for sale in the Dominion of Canada being composed either in whole or in part of gold or of silver or of any alloy of these metals, except those mentioned in section 9 of this Act, it shall not bear any stamp, engraving or other mark, or be enclosed in or attached to boxes, tags, wrappers or other accessories stamped, engraved or marked otherwise than— Stamp or mark required.

(*a*) With such design or mark as shall have been registered in accordance with *The Trade Mark and Design Act*, chapter 63 of The Revised Statutes of Canada; Trade mark.

(*b*) With such mark or letter as is, by Schedule A to this Act, required to indicate the period of time during which such article was manufactured; and— Date letter.

(*c*) With such mark or marks as shall describe the true and correct quality of the gold or silver, or alloy of either of the said metals, used in the construction of such article, and subject to the qualifications herein set forth. Quality.

3. It shall be an indictable offence for any manufacturer, dealer or other person to make, sell, or offer to sell or dispose of, or to have in his possession with intent to sell or dispose thereof, any article of merchandise, composed in whole or in part of gold, or of any alloy of gold, if such article is— As to gold. Marks prohibited.

(*a*) Stamped, engraved or otherwise marked any number of karats less than 10; or— Mark less than 10K.

(*b*) Stamped, engraved or otherwise marked, or having stamped, engraved or otherwise marked upon any box, package, cover or wrapper in which such article is enclosed, or upon any tag or label attached thereto or enclosed therein, with the words "gold," "solid gold," "pure gold," "U.S. assay," or other like description. Indefinite marks.

4. In articles of merchandise made in whole or in part of gold or any alloy of gold the quality marks referred to in Karat ratio of gold.

paragraph (*c*) of section 2 of this Act shall state the fineness of the metal in karats, thus, "10K," "14K," "18K."

2. In gold stamped, engraved or otherwise marked as "18K," the gold used therein shall contain 18 parts of pure gold and 6 parts of alloy; and all other quality marks shall be in the same proportion with "24K" as the standard of pure gold.

As to silver.

5. It shall be an indictable offence for any manufacturer, dealer or other person to make or sell or offer to sell or dispose of, or to have in his possession with intent to sell or dispose thereof, any article of merchandise—

Marks prohibited.

Definition of sterling.

(*a*) Stamped, engraved or otherwise marked "sterling" or "sterling silver," or encased or enclosed in any box, package, cover, wrapper or other thing in, by or with which the said article is packed, enclosed or otherwise prepared for sale or disposition, having thereupon any stamp, engraving, label, tag, imprint, mark, trade-mark or other mark, indicating or denoting by such stamping, engraving or other marking, or by any colourable imitation of such words, that such article is "sterling" or "sterling silver," unless nine hundred and twenty-five one-thousandths of the component parts of the metal of which said article is manufactured are pure silver; or—

Provision for mountings.

(*b*) Composed of leather, shell, ivory, celluloid, pearl, glass, porcelain, pottery, steel, wood or other substance, to which is applied or attached a metal mounting stamped, engraved or otherwise marked with the words "sterling" or "sterling silver," unless said applied or attached metal mounting contains not less than nine hundred and twenty-five one thousandths parts of pure silver.

Not to apply to works, etc.

6. The mark, stamp, brand, engraving or print denoting the quality of any case or covering applied or attached, or intended to be applied or attached, to any article of merchandise, composed of mechanism, works or movements, shall not be so construed as to apply to such mechanism, works or movements so enclosed.

Nor to certain parts.

7. This Act shall not be construed so as to apply to such parts of manufactured articles as springs, winding bars, sleeves, crown cores, pins or joint pins as may be necessary to adapt to the use of the trade.

Allowance for solder.

8. This Act shall be so construed regarding articles made, in whole or in part, of gold or silver or of any alloy of either of said metals, that—

Gold.

(*a*) Where solder is used, the karat fineness of the gold or alloy of gold used shall not be less than one-half of a karat of the quality mark which is stamped upon the article; or,—

(*b*) Where solder is not used, the karat fineness of the gold or alloy of gold used shall not be less than one-quarter of a karat of the quality mark which is stamped upon the article; or,—

Silver.

(*c*) Where solder is used, the fineness of the silver or alloy of silver used shall not be less than twenty-five one thousandths of the quality mark which is stamped upon the article; or,—

(*d*) Where solder is not used, the fineness of the silver or alloy of silver shall not be less than ten one-thousandths of the quality mark which is stamped upon the article.

Gold filled jewelry

9. It shall be an indictable offence to manufacture, sell, offer for sale or otherwise to dispose of any articles commercially known as gold filled, rolled plate, gold or silver fronted, double stock, or other soldered combination of the alloys of gold or silver with other base metals, plated or electro-plated, gilt or fire-gilt jewellry, which designation is hereby declared to include watch cases, lockets, chains and other similar articles, or other articles which are stamped, engraved or otherwise marked with any statement, mark, sign or device upon cards, boxes, tags or wrappers or other accessories accompanying or attached thereto (other than a trade mark) which will indicate other than a true and correct statement of the fineness and also the actual weight of the gold or silver or alloy of either of said metals contained in the articles so stamped or marked, or the decimal proportion of the gold or silver or alloy of said metals to the gross weight of the articles so stamped or marked, at the time they are sold or delivered by the manufacturer.

Section 2 also to apply.

2. Whenever the fineness and actual or proportionate weight of the gold or silver, or of the alloy of either of the said metals, contained in the article is stamped, engraved or otherwise marked, either upon the article itself or upon the boxes, tags, wrappers or other accessories accompanying such articles of jewellery or other articles as mentioned in subsection, of this section, it shall be imperative that such article and accessories shall in addition be stamped or otherwise marked in accordance with section 2 of this Act.

Guarantees prohibited.

3. The use of any stamped, printed or written matter guaranteeing the wearing or lasting properties of gold-filled, rolled plate, gold or silver-fronted, double stock or other soldered combination of the alloys of gold or silver with other base metals, plated or electro-plated, gilt or fire-gilt jewellery or other articles as set out in subsection 1 of this section, for any specified period of time, is absolutely prohibited; and any manufacturer, dealer or other person who makes, sells, or offers to sell or dispose of, or has in his possession with intent to sell or dispose of, any article or articles described in this subsection, stamped, engraved or otherwise marked by any printed, written or other matter guaranteeing the wearing or lasting properties of such articles for any specified period of time, shall be guilty of an indictable offence.

Amount of allowable deviation from marked quality.

4. In regard to the method of marking the fineness of the gold or silver or alloy of either metal contained in the articles mentioned in subsection 1 of this section, the additional provision shall be added that, as to the actual or proportionate weight declared by the stamp or other mark, such articles shall not be allowed a deviation of more than ten per cent of the amount of gold or silver or alloy of either metal declared by stamp or other mark to be contained in such article.

Electro-plated ware.

10. It shall be an indictable offence to manufacture, sell or offer for sale any electro-silver plated knives, forks or spoons which are stamped, engraved or otherwise marked with any

statement, mark, sign or device or to which articles are attached any statement, mark, sign or device upon cards, boxes, tags or wrappers or other accessories accompanying or attached thereto, which will indicate other than a true and correct statement of the quality of the goods or the quality or grade of the plating thereon.

Exemption of hall marks.

11. The provisions of this Act shall not apply to any article of gold or silver that bears the Government mark of quality of any country; provided that such article shall not be less than the standards provided for in this Act.

Imported goods.

12. Any manufacturer, dealer or other person who sells, exchanges, exposes for sale, imports or attempts to import, or who has in his possession without lawful excuse (the proof of which shall lie upon him) any ware of gold or silver, or sterling silver, which has been made or imported after the date of the coming into force of this Act, and which shall not be according to the standards as hereinbefore designated, shall be liable for every such ware to a penalty not exceeding one hundred dollars.

Penalty.

13. Any person, partnership, firm or corporation, exposing or offering for sale any article made after the date of the coming into force of this Act, and not marked as herein provided, or marked otherwise than as herein provided, shall be liable to a fine not exceeding one hundred dollars for each article so exposed or offered for sale; and upon conviction the article or articles shall be broken or mutilated so as to be unfit for sale otherwise than as bullion.

Enforcement.

14. The administration and enforcement of this Act shall be under the supervision of the Minister of Inland Revenue, and he shall appoint inspectors whose duty it shall be to have the Act complied with.

Commencement of Act.

15. This Act shall not come into force and effect until twelve months after the date of the signification by the Governor General of His Majesty's assent thereto.

SCHEDULE "A."

A. indicates the period of time from June 30, 1906, to July 1, 1910.

B. indicates the period of time from June 30, 1910, to July 1, 1915.

C. indicates the period of time from June 30, 1915, to July 1, 1920.

D. indicates the period of time from June 30, 1920, to July 1, 1925.

E. indicates the period of time from June 30, 1925, to July 1, 1930.

F. indicates the period of time from June 30, 1930, to July 1, 1935.

G. indicates the period of time from June 30, 1935, to July 1, 1940.

H. indicates the period of time from June 30, 1940, to July 1, 1945.

I. indicates the period of time from June 30, 1945, to July 1, 1950.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

SENATE OF CANADA.

BILL.

U

An Act respecting the Sale and Marking of Manufactures of Gold and Silver.

Received and read a first time:

Thursday, 17th May, 1906.

Second reading:

Wednesday, 6th June, 1906.

Honourable R. W. Scott.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

Redrafted in compliance with the Order made by the Senate Committee on Banking and Commerce, 14th June, 1906.

J. G. A. CREIGHTON,
Law Clerk of the Senate.

THE SENATE OF CANADA.

U.] **BILL.** [1906.

An Act respecting the sale and marking of manufactures of Gold and Silver.

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

1. This Act may be cited as "*The Gold and Silver Marking Act*, 1906."

2. In this Act, unless the context otherwise requires;—

(*a*) The expression "article" means an article of merchandise and includes any portion of such article, whether a distinct part thereof or not.

(*b*) The expression "Mark" includes any mark, sign, device, imprint, stamp, brand, label, ticket, letter, word, figure, or other means whatsoever of indicating, or of purporting to indicate, the quality, quantity or weight of gold, or of silver, or of any alloy of gold or of silver, in an article of merchandise.

(*c*) The expressions "apply" and "applied" include any method or means of application or attachment to, or of use on, or in connection with, or in relation to, an article of merchandise, whether such application, attachment or use is to, on, or with—

(i) the article itself; or—

(ii) anything attached to the article; or—

(iii) anything to which the article is attached; or—

(iv) anything in or on which the raticle is; or—

(v) anything so used or placed as to lead to a reasonable belief that the mark on that thing is meant to be taken as a mark on the article itself.

(*d*) The expression "dealer" includes any person, corporation, association, or firm, being a manufacturer of, or a wholesale or retail seller of or dealer in gold or silver jewellery, or of or in gold ware, gold-plated ware, silver ware, or silver-plated ware, or the like, and any director, manager, officer, or agent of such corporation, association or firm.

(*e*) "To sell" includes "to dispose of," "to offer to sell," "to offer to dispose of," and "to have in possession with intent to sell or dispose of."

3. This Act shall not apply to any article made in Canada before the date of the coming into force of this Act, nor to any article imported into Canada before the said date.

4. It shall not be lawful to make or sell in Canada, or to import or attempt to import into Canada, any article composed either in whole or in part of gold or of silver, or of any alloy of gold or of silver, except the articles mentioned in section 11 of this Act, if to such article there is applied any mark other than—

(*a*) trade marks registered in accordance with *The Trade Mark and Design Act*, chapter 63 of The Revised Statutes of Canada; and—

(*b*) such letter as is, by Schedule A to this Act, required to indicate the period of time during which such article was manufactured; and—

(*c*) marks truly and correctly indicating, as required by this Act, the quality of the gold or silver, or alloy of gold or of silver, used in the construction of such article.

5. As respects articles composed, in whole or in part, of gold or of any alloy of gold—

(*a*) the marks referred to in paragraph (*c*) of section 4 of this Act as indicating quality shall state the fineness of the gold in Karats, thus "10 K," "18 K," or as the case may be; and—

(*b*) the number of Karats so stated shall bear the same proportion to "24 K" as the gold in the alloy bears to pure gold; that is to say, "18 K" shall be deemed to mean that in the composition there are intended to be 18 parts of pure gold and 6 parts of alloy; and—

(*c*) the actual fineness of the gold or alloy of gold of which the article is composed shall not be less than the said proportion—

(i) by more than one-half of a Karat, if solder is used, or—

(ii) by more than one-quarter of a Karat, if solder is not used.

6. Every one, being within the meaning of this Act a dealer, is guilty of an indictable offence and liable to the penalty by this Act provided, who makes or sells, or imports or attempts to import into Canada, any article purporting to be wholly or partly composed of gold or of any alloy of gold, if the article when made or sold, has thereto applied any mark—

(*a*) indicating the gold in the article to be of less than ten Karats in fineness; or—

(*b*) bearing the words "gold," "solid gold," "pure gold," "U. S. Assay," or other words purporting to describe the gold or alloy of which the article is composed.

7. Every one, being within the meaning of this Act a dealer, is guilty of an indictable offence and is liable to the penalty by this Act provided, who—

makes, or sells, or imports or attempts to import into Canada, any article which has applied thereto any mark indicating, or purporting to indicate, or leading to a reasonable belief, that the metal or alloy of which such article is composed is sterling silver, if the metal or alloy of which such article is actually composed contains silver in less proportion than nine hundred and

twenty-five parts of pure silver in every one thousand parts of such metal or alloy—

(i) by more than twenty-five parts in one thousand when solder is used, or—

(ii) by more than ten parts in one thousand when solder is not used.

8. The provisions of section 4 of this Act shall not apply to any article of gold, or of silver, or of any alloy of gold or silver, to which is applied—

(*a*) any hall-mark lawfully applied according to the laws of the United Kingdom of Great Britain and Ireland; or—

(*b*) any mark indicating the quality of the gold or of the silver or of the alloy and applied by the Government of any foreign country,—

if with respect to such article all the other provisions of this Act have been complied with.

9. This Act shall not apply with respect to such parts of manufactured articles as may require adaptation to the use of the trade, that is to say, to springs, winding-bars, sleeves, crown cores, pins, joint-pins, and such other like articles as by regulation made under this Act may be exempted from the operation of this Act.

10. A mark applied to any case or covering attached to or forming part of any article composed of mechanism, works or movements, or intended to be so applied or to form such part, shall not be deemed to be applied to such mechanism, works or movements.

11. In the case of articles made in whole or in part of an inferior metal, which has deposited or plated thereon, or brazed or otherwise affixed thereto, a plating, covering or sheet composed of gold or of silver, or of an alloy of gold or of silver, and known in the trade as rolled gold plate, gold filled, gold plate, silver plate, silver filled, or gold or silver electroplate, or by any similar designation, and in the case of articles of like nature brought under the provisions of this section by regulation made under the authority of this Act,—

(*a*) No mark shall be applied indicating otherwise than truly and correctly the fineness and also the actual weight of gold or of silver, or of alloy of gold or of silver, contained in the article, or the decimal proportion of gold, or of silver, or of alloy of gold or of silver, to the gross weight of the article at the time the article is sold or delivered by the maker; but—

(*b*) A trade mark registered in accordance with *The Trade Mark and Design Act*, chapter 63 of *The Revised Statutes of Canada*, may be applied; and—

(*c*) Whenever the fineness or actual or proportionate weight of the gold, or of the silver, or of the alloy of gold or silver, contained in an article is indicated by a mark, the article and its accessories shall be marked as required by sections 5, 6 and 7 of this Act; and—

(*d*) The actual weight or the decimal proportion of gold, or of silver, or of alloy of gold or of silver, shall not be less than the

actual weight or decimal proportion indicated by the mark by more than ten per cent of the actual weight or decimal proportion so indicated.

2. Every one, being within the meaning of this Act a dealer, is guilty of an indictable offence and is liable to the penalty by this Act provided, who—

(*a*) contravenes any provision of this section, or—

(*b*) makes, sells, or imports or attempts to import into Canada any article in respect to which any provision of this section is contravened, or—

(*c*) makes use of any printed or written matter, or applies any mark, guaranteeing or purporting to guarantee that the gold or silver on or in any article of the kind referred to in this section will wear or last for any specified time.

12. Every one, being within the meaning of this Act a dealer, is guilty of an indictable offence and liable to the penalty by this Act provided, who makes, or sells, or imports or attempts to import into Canada, any electro-silver-plated article to which is applied a mark indicating otherwise than truly and correctly the following particulars—

(*a*) the metal on which the plating is deposited;—

(*b*) the metal of which the deposit is composed; and

(*c*) the grade, quality or description, as known to the trade, of the plating.

13. Every one who is convicted of an indictable offence under this Act or of any other contravention of this Act shall be liable to a fine not exceeding one hundred dollars for each article in respect of which the conviction is had; and after the conviction every such article shall be so broken or defaced as to be unfit for sale otherwise than as metal.

14. The Governor in Council may, from time to time, make such regulations as to him seem necessary with respect to all or any of the following matters; namely—

(*a*) To secure the efficient administration and enforcement of this Act; including the imposition of penalties, not exceeding fifty dollars, upon any person contravening any such regulation, to be recoverable on summary conviction.

(*b*) The appointment, powers and duties of officers employed in such administration and enforcement.

(*c*) For declaring the articles to which the provisions of sections 9 and 11 of this Act shall apply.

(*d*) Generally for the purposes of this Act.

15. This Act shall not come into force and effect until twelve months after the date of the signification by the Governor General of His Majesty's assent thereto.

SCHEDULE "A."

A. indicates the period of time from June 30, 1906, to July 1, 1910.

B. indicates the period of time from June 30, 1910, to July 1, 1915.

C. indicates the period of time from June 30, 1915, to July 1, 1920.

D. indicates the period of time from June 30, 1920, to July 1, 1925.

E. indicates the period of time from June 30, 1925, to July 1, 1930.

F. indicates the period of time from June 30, 1930, to July 1, 1935.

G. indicates the period of time from June 30, 1935, to July 1, 1940.

H. indicates the period of time from June 30, 1940, to July 1, 1945.

I. indicates the period of time from June 30, 1945, to July 1, 1950.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

SENATE OF CANADA.

BILL.

U

An Act respecting the Sale and Marking of Manufactures of Gold and Silver.

Redrafted in compliance with the Order made by the Senate Committee on Banking and Commerce, 14th June, 1906.

Honourable R. W. Scott.

OTTAWA
Printed by S. E. Dawson
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

V.] **BILL.** [1906.

An Act respecting the Northwest Commercial Travellers' Association of Canada.

Preamble.

WHEREAS, by chapter 50 of the statutes of 1887 of the province of Manitoba, The Northwest Commercial Travellers' Association of Canada, hereinafter called "the Association," was incorporated for the purposes and with the powers in the said statute mentioned; and whereas a petition has been presented by the Association praying that it be granted express authority to carry on throughout Canada its business as authorized by the said statute, and also praying that certain amendments to the said statute be made: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, declares and enacts as follows:—

Manitoba 1887, c. 50.

Provincial corporation recognized as a Dominion corporation, and empowered to do business throughout Canada.

1. The Northwest Commercial Travellers' Association of Canada is hereby recognised as a corporation with all the rights, powers and privileges of a corporation incorporated by the laws of Canada, and is hereby authorized and empowered to carry on and transact its business throughout Canada as if the Association had been incorporated for its corporate purposes under the laws of Canada, and is hereby declared to have the capacity to carry on its said business in and throughout Canada; provided that the said capacity hereby granted to the Association shall be exercised, in the several provinces and Territories of Canada in which the Association may carry on its business, subject to all the general laws of the said provinces or territories applicable to the Association.

Proviso as to application of provincial and territorial general laws.

Manitoba statute 1887, c. 50, s. 5 amended as to Executive Committee.

2. Section 5 of the said chapter 50 of the statutes of 1887 of the province of Manitoba is hereby amended by striking out all the words down to and including the words "Directors of the Association" and inserting in lieu thereof the words: "The Executive Committee of the Association shall have full power in all things to administer the affairs of the Association, and may make or cause to be made for the Association any description of contract which the Association may by law enter into, and the said Executive Committee shall be composed of the president, six vice-presidents, a treasurer, the directors".

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

V

BILL.

An Act respecting The Northwest Commercial Travellers' Association of Canada.

Received and read a first time:

Thursday, 17th April, 1906.

Second reading:

Tuesday, 29th May, 1906.

Honourable Mr. YOUNG.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

W.] **BILL.** [1906.

An Act respecting The Citizens' Bank of Canada.

Preamble.

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

1903, c. 106. 1905, c. 81.

Extension of time for Treasury Board certificate.

1. Notwithstanding anything contained in *The Bank Act*, or in Chapter 106 of the Statutes of 1903 incorporating The Citizens' Bank of Canada, or in Chapter 81 of the Statutes of 1905 respecting the said Bank, the Treasury Board may, within one year from the date of the passing of this Act, give to the said Bank the certificate required by Section 14 of *The Bank Act*.

1890, c. 31, s. 14.

Application of 1890, c. 31 s. 16 as to charter.

2. In the event of the said Bank not obtaining the said certificate from the Treasury Board within the time aforesaid, the rights, powers and privileges conferred on the Bank by the said Act of incorporation, and by the Act respecting the same, and by this Act, shall thereupon cease and determine, but otherwise shall remain in full force and effect notwithstanding section 16 of *The Bank Act*.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

W

An Act respecting The Citizens' Bank of Canada.

Received and read a first time:

Thursday, 17th May, 1906.

Second reading:

Tuesday, 29th May, 1906.

Honourable Mr MITCHELL.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

X.] **BILL.** [1906.

An Act for the relief of Eileen Mary Mackintosh.

WHEREAS Eileen Mary Mackintosh, formerly Eileen Mary White, of the city of Quebec, in the province of Quebec, the wife of Charles St. Lawrence Mackintosh, formerly of the town of Rossland, in the province of British Columbia, but now of the city of Ottawa, in the county of Carleton, clerk, hath, by her petition, in effect set forth that on the nineteenth day of September, A.D. 1899, she was lawfully married to him at the said city of Quebec; that they cohabited until about the month of April, A.D. 1905; that on divers occasions between the month of November, A.D. 1899, and the month of April, A.D. 1905, at the said town of Rossland, he committed adultery; that ever since she discovered the said adultery they have lived separate and apart and have not cohabited; and whereas she has prayed that the said marriage may be dissolved and that she may be authorized to marry again, and that such further relief may be granted 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:— Preamble.

1. The said marriage between the said Eileen Mary Mackintosh, formerly Eileen Mary White, and the said Charles St. Lawrence Mackintosh, her husband, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Eileen Mary Mackintosh, formerly Eileen Mary White, may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Charles St. Lawrence Mackintosh had not been solemnized. Right to marry again.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

X

BILL.

An Act for the relief of Eileen Mary Mackintosh.

Received and read a first time:

Friday, 18th May, 1906.

Second reading:

Tuesday, 29th May, 1906.

Honourable Mr. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

Y.] **BILL.** [1906.

An Act to incorporate the Prince Albert and North Saskatchewan and Hudson's Bay Railway Company.

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

1. Frederick C. Baker, Richard S. Cook and Thomas H. McGuire, all of the city of Prince Albert, Saskatchewan, together with such persons as become shareholders in the Company are hereby incorporated under the name of "The Prince Albert and North Saskatchewan and Hudson Bay Railway Company," hereinafter called "The Company." Incorporation. Corporate name.

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

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

4. The head office of the Company shall be in the city of Prince Albert, Saskatchewan. Head office.

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

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

7. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point at or near the city of Prince Albert, Saskatchewan, crossing the Saskatchewan River at or near Prince Albert, thence in a northerly direction north of Pine Island Lake by the most feasible route to Port Churchill on Hudson's Bay; with branch lines from Goose Lake to Pass Mission, and also a branch, starting on the main line at or near Goose Lake, by the most feasible route to Burnt Wood Lake in Saskatchewan. Line of railway. Branches.

Telegraph and telephone lines.

8. The Company may construct and operate telegraph and telephone lines upon and along its railway and branches, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor; and for the purposes of operating such telegraph and telephone lines the Company may, subject to *The Railway Act*, 1903, enter into contracts, with any companies having power to construct or operate telegraph or telephone lines, for the exchange or transmission of messages or for the working, in whole or in part, of the lines of the Company.

Rates to be approved.

2. No tolls or charges shall be demanded or taken from any person for the transmission of any messages by telegraph or telephone of the Company, until such tolls or charges have been approved of by the Board of Railway Commissioners for Canada, and such tolls and charges shall be subject to revision from time to time by the said Board.

R.S.C., c. 132.

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

Issue of securities.

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

Agreements with other companies

10. Subject to the provisions of sections 281, 282 and 283 of *The Railway Act*, 1903, the Company may enter into agreements with both or either of the companies hereinafter named for any of the purposes specified in the said section 281, such companies being the Canadian Pacific Railway Company and the Canadian Northern Railway Company.

2nd Session, 10th Parliament, 6 Edward VII,

THE SENATE OF CANADA.

Y

BILL.

An Act to incorporate The Prince Al and North Saskatchewan and Huds Bay Railway Company.

Received and read a first time:

Tuesday, May 29th, 1906.

Second reading:

Thursday, May 31st, 1906.

Honourable Mr. Davi

OTTAWA

Printed by S. E. Dawson

Printer to the King's most Excellent Majesty

1906

THE SENATE OF CANADA.

Z.] **BILL.** [1906.

An Act to incorporate the Grand River and Western Power Company.

Preamble.

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

Incorporation.

1. Charles Horatio Waterous, Frank Cockshutt, John Muir, Lloyd Harris and Edmund Sweet, all of the city of Brantford, in the county of Brant, John A. Bain, of the city of Woodstock, in the county of Oxford, Martin N. Todd, of the town of Galt, in the county of Waterloo, George D. Forbes, of the town of Hespeler, in the county of Waterloo, Alexander Fraser, of the city of Niagara Falls, in the county of Lincoln, and William Snider, of the town of Waterloo, in the county of Waterloo, all in the province of Ontario, and Fred H. Markey, barrister, and Ronald Cameron Grant, accountant, both of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Grand River and Western Power Company," hereinafter called "the Company."

Corporate name.

Declaratory.

2. The works of the Company are hereby declared to be for the general advantage of Canada.

Provisional directors.

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

Capital stock.

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

Head office.

5. The head office of the Company shall be at the city of Brantford.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the first Tuesday in July, or at such other date as is fixed by by-law of the Company.

Number of directors.

7. The number of directors shall be seven, one or more of whom may be paid directors, but the shareholders whenever

Increase of.

they deem it expedient, may, by by-law, increase the number of directors to not more than ten.

Majority to be British subjects.

2. The majority of the directors shall at all times be resident in Canada and British Subjects.

Powers of Company.

8. The Company may—

(*a*) construct, maintain and operate a watercourse and raceway from a point or points on the Grand River and the Dunnville feeder at or near Dunnville, thence northerly, using the natural watercourses where available, to some suitable point on Lake Ontario at or near the village of Jordan;

Water courses.

(*b*) construct, maintain and operate all necessary works, dams, wing-dams, docks, pipe lines, sluices and conduits, locks, accessories and buildings;

(*c*) construct a culvert of sufficient and necessary proportions to carry the said watercourse and raceway underneath the Welland Canal feeder;

(*d*) deepen the Grand River in the vicinity of Dunnville dam, and widen, deepen and maintain the Dunnville feeder from the Grand River easterly a distance not exceeding one half a mile;

(*e*) dredge, deepen and widen the Welland River between the point of intersection therewith of the inlet and outlet of the said watercourse and raceway;

(*f*) dredge, deepen and widen the Jordan River from the point of intersection with the said watercourse and raceway to Lake Ontario for the purposes of the Company;

(*g*) use the waters of Lake Erie, the Grand River, the Welland River and the Jordan River in such quantities as are requisite and necessary for the efficient and satisfactory running and operating of the said works and for the purposes aforesaid:

Navigation not to be interfered with.

Provided that nothing in this Act shall permit of any power given in this Act being exercised in such a way as to prevent the navigation of any navigable water: Provided further, that none of the works authorized, or privileges or rights granted, by this Act shall be commenced or enjoyed until the plans of such works have been submitted to the Governor in Council, and his sanction thereto has been obtained.

Approval of plans.

Supply of water and power.

9. The Company may—

(*a*) supply water and hydraulic, electric, water or other power, for use for any purposes, by means of cables, machinery or other appliances, and at such rates and upon such conditions as are agreed upon;

Works, etc.

(*b*) construct, maintain and operate works for the production, sale and distribution of electricity and pneumatic power for the purpose of light, heat and power;

Dams, etc.

(*c*) construct, maintain and operate dams, intakes, tunnels, conduits and other works in the manner and to the extent required for all the purposes of the Company;

Storage and supply.

(*d*) conduct, store, sell and supply electricity and pneumatic power and, by means of pneumatic electric or other conductors or devices, convey, furnish or receive such electric power;

(*e*) construct, acquire, own, use or operate mills for any manufacturing purpose. Mills.

10. The Company may erect towers and poles, construct trenches or conduits and do all other things necessary for the transmission of power, heat or light; provided they are so constructed as not to incommode the public use of highways or public places, or to impede the access to any building erected in the vicinity thereof, or to interrupt the navigation of any navigable waters; but the Company shall be responsible for all damage which it causes in carrying out or maintaining any of its works. Works for conveying power. Responsibility for damage.

11. The Company may hold stock in any corporations created for or engaged in the production or use of power, light or heat, and may hold stock in any corporation which contracts to purchase, lease or use any power or property of the Company, and the stock of the Company may also be held and voted on by any such corporation having the right to acquire it. Stock in other companies.

12. The directors may make and issue, as paid up and non-assessable stock, shares in the Company in payment for any contract, franchise, property, undertaking, privilege, right or power which may be assigned or transferred to it, or which it may acquire by virtue of this Act, at such rate as they deem expedient, to engineers or contractors, or for right of way, material, plant, buildings or lands, or the construction or equipment of the works or any part thereof, or for services rendered in placing or assisting to place or guaranteeing the placing of any of the shares or other securities of the Company, or in or about the promotion of the Company or the conduct of its business. Issue of paid-up stock.

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

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

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

(*c*) issue bonds, debentures or other securities of the Company, and pledge or sell them for such sums and at such prices as may be deemed expedient; but no such bonds, debentures or other securities shall be for a less sum than one hundred dollars each;

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

2. The limitations and restrictions contained in this section shall not apply to the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company. No restriction as to bills and notes.

14. The Company may, subject to the provisions contained in section 10 of this Act, construct a telephone line and a telegraph line in connection with and for the purposes only of its watercourse and raceway and the works connected with and the business done by the Company. Telephone and telegraph lines.

Supply of electric light, etc.

15. The Company may make agreements with the council of the corporation of any municipality within a practical distance of the Company's works for a supply of electric heat, light, power and water upon such terms as are agreed upon, and for the purposes of supplying any municipality or inhabitant thereof with water or electric heat, light or power; and the Company may, with the approval of the Governor in Council, construct, lay down and operate overhead or underground wires, ways, mains, conduits or other conductors of water, electric heat, light or power through any other municipality after obtaining the consent of the last mentioned municipality, by by-law duly passed by the council thereof .

Aid to Company.

16. The Company may receive aid towards the construction equipment and maintenance of the works hereby authorized by way of gift, bonus or loan of money or debentures or other securities for money, or by way of guarantee, or exemption from taxation or assessment.

Expropriation of lands.

17. Lands actually required for the construction, maintenance or operation of the power canals, watercourses, raceways, reservoirs, dams, booms, piers, dykes, transforming stations, wheel pits, storage plant, conduits, transmission lines or other necessary equipment and works of the Company may be taken and used by the Company; and to this end, after plans of such works and the lands required therefor have been approved of by the Governor in Council, all the provisions of *The Railway Act*, 1903, which are applicable to such taking and using shall, so far as they are applicable thereto, and *mutatis mutandis*, apply as if they were included in this Act; and all the provisions of *The Railway Act*, 1903, which are applicable shall, in like manner, *mutatis mutandis*, apply to the valuation and payment of the compensation for, or damages to, lands arising out of such taking and using, or the construction, maintenance and operation of the works and undertaking of the Company or the exercise of any of the powers of the Company.

1903, c. 58.

Compensation.

Limitation as to lands be taken.

2. This section shall apply only to lands situated within the limits of the town of Dunnville and the townships of Moulton, Wainfleet, Gainsborough, Clinton and Louth, and outside these limits shall be restricted to lands that may be required for the purposes of the transmission lines of the Company.

"Lands."

3. The word "lands" shall include any privilege or easement required by the Company for constructing or operating the works authorized by this Act, over or along any land without the necessity of acquiring a title in fee simple.

Time for construction of works limited.

18. The construction of the works of the Company shall be commenced within three years and completed within six years after the passing of this Act, otherwise the powers hereby granted shall cease and be null and void as respects so much of the said works as then remains uncompleted.

1903, c. 58.

19. Sections 51 to 116, both inclusive, and section 195 of *The Railway Act*, 1903, shall, in so far as they are applicable and when not inconsistent with this Act, apply to the Company.

20. *The Companies Clauses Act* shall not apply to the Company.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

SENATE OF CANADA.

BILL.

Z

An Act to incorporate the Grand River and Western Power Company.

Received and read a first time:

Thursday, 31st May, 1906.

Second reading:

Wednesday, 6th June, 1906.

Honourable Mr. McMULLEN.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

AA.] **BILL.** [1906

An Act for the relief of Asenath Ramsay.

WHEREAS Asenath Ramsay, of the city of Toronto, in the county of York, in the province of Ontario, has by her petition humbly set forth that on the fifteenth day of January, A.D. 1891, she, then Asenath Fowler, was married to William Everett Ramsay, of the said city of Toronto, at the said city of Toronto; that they co-habited until the month of September, A.D. 1900, when he deserted her; that they have not co-habited since the said month of September, A.D. 1900; and that he has since the last-mentioned date committed adultery at the city of Baltimore, in the State of Maryland, one of the United States of America; 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between the said Asenath Ramsay and William Everett Ramsay, her husband, is hereby dissolved and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Asenath Ramsay may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Everett Ramsay had not been solemnized. Right to marry again.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

AA

An Act for the relief of Asenath Ramsay.

Received and read a first time:

Thursday, May 31st, 1906.

Second reading;

Tuesday, June 5th, 1906.

Honourable Mr. PERLEY.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

BB.] **BILL.** [1906.

An Act to incorporate The General Accident Assurance Company of Canada.

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

1. Sidney Finlay McKinnon, Reuben Millichamp, John Flett, Alexander Archibald Allan, Oliver Adams, and Herbert Henry Beck, all of the city of Toronto, John Knox of the city of Hamilton, and Francis Norie-Miller, of Perth, Scotland, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The General Accident Assurance Company of Canada," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act and Franklin J. Moore of the city of Philadelphia, are hereby constituted 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 they may withdraw the same for the purposes of the Company only, and may do generally whatever is necessary to organize the Company. Provisional directors.

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

2. The directors may, after the whole capital stock has been subscribed and fifty per cent has been paid thereon in cash, increase the capital stock, from time to time, to an amount not exceeding two millions of dollars; but no such increase shall be made 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. Increase of capital.

Head office.

4. The head office of the Company shall be in the city of Toronto, in the province of Ontario, 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 has been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place in the said city of Toronto, and shall give at least ten days' notice of the time, place and purposes 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 fifteen members, a majority of whom shall be a quorum.

Qualification of directors.

3. No person shall be a director, unless he holds in his own name and for his own use at least 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 by such calls or instalments and at such times and places as the directors appoint, and any notice of call may be effectually given by sending the notice by registered letter postpaid to the last known address of each shareholder.

Accident Insurance.

7. The Company may make contracts of insurance with any person against any accident or casualty, of whatever nature or from whatever cause arising, to individuals or to their property, whereby the insured may suffer loss or injury or be disabled, and also, in case of death from any accident or casualty (not including sickness), by 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 whatever nature and from whatever cause arising, whereby the insured suffers or may suffer pecuniary loss, or incurs or may incur costs and expenses, and otherwise to indemnify principals or employers from or against liability to third parties by reason of injury, damage, or loss through any act or fault of their own or caused by agents, workmen, servants, or others in their employ, or acting on their behalf.

Sickness insurance.

2. The Company may also carry on the business of sickness insurance in all its branches, and may make contracts of insurance with any person against loss or injury or damage through illness not ending in death, or through disability not causing from accident or old age.

Guarantee Insurance.

3. The Company may also—

(*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.

(*d*) indemnify persons who are or may become sureties for others.

Re-insurance.

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

When business may be commenced.

5. The Company shall not engage in the business of accident insurance, including sickness, until at least forty thousand dollars of capital stock 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 one hundred and fifty thousand dollars and an additional amount of twenty-five thousand dollars has been paid thereon into the funds of the Company; 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.

Investment powers.

R.S.C., c. 124, s. 50; 1899, c. 13, s. 8.

8. The Company may invest any of its funds in accordance with the terms of *The Insurance Act* and any amendments thereof, and the Company may call in the said investments as occasion may require.

Foreign securities.

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.

Real property.

R.S.C., c. 124, s. 51; 1899, c. 13, s. 9.

10. 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 Ontario, where it shall not exceed five thousand dollars.

Applicability of R.S.C., c. 118.

R.S.C., c. 124.

11. 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 this Act.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA

BILL.

BB

An Act to incorporate The General Accident Insurance Company of Canada.

Received and read a first time, Thursday. 31st May, 1906.
Second reading, Tuesday, 5th June, 1906.

Honourable Mr. POIRIER.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

CC.] **BILL.** [1906.

An Act to incorporate the Chartered Bank of London and Canada.

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

1. Walter Henry Harris, Esq., C.M.G., Lemand Clow and Company, Oates and Singleton, Arthur M. Grenfell, Marmham and Company, Alexander Wilson and Sons, Bourke Cuthbertson and Company, S. Kennedy and Company, Ingram and Fleming, Kennedy Robertson, George Kitchen and Company and Baker Mason and Company, all of London, England, and the Honourable Sir Adolphe P. Caron, K.C.M.G., K.C., and Agar Adamson, both of Ottawa, Ontario, and the Honourable J. N. Kirchhoffer, of Brandon, Manitoba, Senator, together with such others as become shareholders in the Corporation by this Act created, are hereby constituted a corporation by the name of "The Chartered Bank of London and Canada," hereinafter called "the Bank." Incorporation. Corporate name.

2. The capital stock of the said Bank shall be two millions of pounds sterling.

3. The chief office of the Bank shall be in the City of London, England. Chief office.

4. Walter Henry Harris, C.M.G., Lemand Clow, Charles Parkinson Oates, Arthur M. Grenfell, Alexander Wilson, S. Kennedy and George Kitchen, all of the said city of London, the Honourable Sir Adolphe P. Caron, K.C.M.G., K.C., of the said city of Ottawa, and the Honourable J. N. Kirchhoffer, of the said town of Brandon, Senator, shall be the provisional directors of the Bank. Provisional directors.

5. This Act shall, subject to the provisions of Section 16 of *The Bank Act*, continue in force until the first day of July, 1911. Duration of charter.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

CC

An Act to incorporate the Chartered Bank of London and Canada.

Received and read a first time:

Thursday, 31st May, 1906.

Second reading:

Wednesday, 6th June, 1906.

Honourable Sir MACKENZIE BOWELL, K.C.M.G.

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

EE.[**BILL.** [1906.

An Act for the relief of James Allen.

Preamble.

WHEREAS James Allen, of the city of Toronto, in the county of York, in the province of Ontario, fireman, has by his petition humbly set forth that on or about the thirty-first day of December, A.D. 1902, he was lawfully married to Margaret Jane Miller, at the said city of Toronto; that at the time of the said marriage they were domiciled in Canada, where he has since been and is now domiciled; that they co-habited until the fourth day of May, A.D. 1905; that upon the said fourth day of May, he found her in the act of committing adultery with one James Allison; that since the said fourth day of May he has not lived with nor co-habited with her; and whereas he has humbly prayed that the said marriage may be dissolved, and that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said James Allen and Margaret Jane Allen, his wife, is hereby dissolved and shall henceforth be null and void to all intents and purposes whatever.

Right to marry again.

2. The said James Allen may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Margaret Jane Allen had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

EE

An Act for the relief of James Allen.

Received and read a first time:

Thursday, 31st May, 1906.

Second reading:

Wednesday, 6th June, 1906.

Honourable Mr. KERR,
(Toronto.)

OTTAWA
Printed by S. E. DAWSON
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1906

THE SENATE OF CANADA.

FF.] **BILL.** [1906.

An Act for the relief of Frederick William Wight.

Preamble.

WHEREAS Frederick William Wight, of the city of Toronto, in the county of York, in the province of Ontario, butcher, has by his petition humbly set forth that on the twenty-second day of February, A.D. 1899, he was lawfully married to Florence Maud Poole, then of the said city of Toronto, spinster; that they cohabited for one year thereafter, when she left him without cause and lived apart from him for a period of several months, and was during that time an inmate of a house of ill-fame on King street west, in the said city of Toronto; that he, at her request for forgiveness and on promise of amendment, took her back and co-habited with her until on or about the ninth day of August, A.D. 1902, when she again deserted him without cause, and has ever since continued to live apart from him; that during this second absence she committed adultery at divers times and places; and whereas he has humbly prayed that the said marriage may be dissolved, and that he may be authorized to marry again, and that such further relief may be afforded him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said Frederick William Wight and Florence Maud Wight, his wife, is hereby dissolved and shall henceforth be null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Frederick William Wight may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Florence Maud Wight had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

FF

An Act for the relief of Frederick William Wight.

Received and read a first time:

Thursday, 31st May, 1906.

Second reading:

Wednesday, 6th June, 1906.

Honourable Mr. KERR,
(Cobourg.)

OTTAWA
Printed by S. E. DAWSON
Printer to the King's most Excellent Majesty
1906

THE SENATE OF CANADA.

GG.] **BILL.** [1906.

An Act to incorporate the Fording Valley Railway Company.

Preamble.

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

Incorporation.

1. Jas. W. Pyke, W. Herbert Evans, Andrew Laidlaw and William Johnston, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Fording Valley Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

3. The capital stock of the Company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, and may be called up by the directors from time to time as they deem necessary.

Head office.

4. The head office of the Company shall be in the town of Cranbrook, in British Columbia, but may be changed to such other place in Canada as is fixed by by-law passed at an annual general meeting or at any special meeting.

Annual meeting.

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

Number of directors.

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

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 on the British Columbia Southern Railway near the confluence of Elk River and Michel Creek; thence along the east side of Elk River to a point north of Fording River; thence north-easterly to the Fording River Valley; thence following Fording River to the north of Henrietta Creek; thence north-

easterly along Henrietta Creek to the boundary of the province of Alberta; thence north-easterly in the province of Alberta to a point at or near Okotoks; also branch lines up Grace, Ewin, Smith, Lewis and Henrietta Creeks, all in the province of British Columbia.

Branches.

Issue of securities.

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

Telegraph and telephone lines.

9. The Company may construct and operate telegraph and telephone lines along and upon its railway and branches, and establish offices for and undertake the transmission of messages for the public and collect tolls therefor; and for the purposes of operating such telegraph and telephone lines the Company may, subject to *The Railway Act*, 1903, enter into contracts with any companies having power to construct or operate telegraph or telephone lines, for the exchange or transmission of messages, or for the working, in whole or in part, of the lines of the Company.

Rates to be approved.

2. No tolls or charges shall be demanded or taken from any person for the transmission of any messages by telegraph or telephone, or for leasing or using the telegraphs or telephones of the Company, until such tolls or charges have been approved of by the Board of Railway Commissioners for Canada, and such tolls and charges shall be subject to revision from time to time by the said Board.

R.S.C., c. 132.

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

Agreements with other companies.

10. Any agreement provided for in section 281 of *The Railway Act*, 1903, may be entered into between the Company and any or all of the following companies, that is to say,—the Fording Valley Railway Company, of British Columbia; the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, or the Great Northern Railway Company.

2nd Session, 10th Parliament, 6 Edward VII,

THE SENATE OF CANADA.

BILL.

GG

An Act to incorporate The Fording V
Railway Company.

Received and read a first time:

Tuesday, 5th June, 1906.

Second reading:

Wednesday, 6th June, 1906.

Honourable Mr. WATSO

OTTAWA
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1906

THE SENATE OF CANADA.

HH.] **BILL.** [1906.

An Act respecting The Manitoba and Keewatin Railway Company.

WHEREAS The Manitoba and Keewatin Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1902, c. 70; 1904, c. 93.

1. Section 2 of chapter 93 of the Statutes of 1904 is repealed. Time limit repealed.

2. If the construction of the Company's railway and branches is not commenced and fifteen per cent of the amount of the capital stock is not expended thereon within two years after the passing of this Act, or if the railway and branches are not finished and put in operation within five years after the passing of this Act, the Company's powers for the construction thereof shall cease and be null and void as respects so much of the railway or branches as then remains uncompleted. Time for construction extended.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

HH

An Act respecting The Manitoba and Keewatin Railway Company.

Received and read a first time:

Thursday, June 7th, 1906.

Second reading;

Tuesday, June 12th, 1906.

Honourable Mr. KERR,
(Toronto.)

OTTAWA
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1906

THE SENATE OF CANADA.

II.] **BILL.** [1906.

An Act for the relief of Muriel Violet Spencer.

Preamble.

WHEREAS Muriel Violet Spencer, of the city of Kingston, in the province of Ontario, wife of Alexander Herbert Spencer, lately of the city of Toronto, in the said province, insurance agent, hath by her petition in effect set forth that on the thirtieth day of July, A.D. 1900, she, then Muriel Violet Knight, spinster, was lawfully married to him at the city of New York, in the state of New York, one of the United States of America, that they thereafter co-habited until the twelfth day of February, A.D. 1904; that since the last mentioned date he has committed adultery on divers occasions with divers persons; that since the month of February ,A.D. 1904, she has lived separate and apart from him and has not co-habited with him; that he has deserted her and gone to the United States of America, and that she is unable after diligent inquiry to find his place of residence; 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said Muriel Violet Spencer and Alexander Herbert Spencer is hereby dissolved and shall henceforth be null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Muriel Violet Spencer may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Alexander Herbert Spencer had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

II

BILL.

An Act for the relief of Muriel Violet Spencer.

Received and read a first time:

Wednesday, June 13th, 1906.

Second reading:

Thursday, June 15th, 1906

Honourable Mr. PERLEY.

OTTAWA
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1906

THE SENATE OF CANADA.

JJ.] **BILL.** [1906.

An Act to incorporate the Temagami, Cobalt and Temiskaming Railway Company.

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

1. B. G. Connolly, of the town of Renfrew, in the county of Renfrew, physician, Auguste Lemieux, of the city of Ottawa, in the county of Carleton, esquire, R. K. Russell, of the town of Pembroke, in the county of Renfrew, civil engineer, Arthur F. Leggatt, of the city of Ottawa, accountant, and F. R. Latchford, of the said city of Ottawa, esquire, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Temagami, Cobalt and Temiskaming Railway Company," hereinafter called "the Company." Incorporators. Corporate name.

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

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

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

5. The head office of the Company shall be in the city of Ottawa, in the county of Carleton. Head office.

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

7. The number of directors shall be five, one or more of whom may be paid directors. Directors.

8. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point on Lake Temagami, in the province of Ontario, thence northerly Line of railway.

and easterly by the most feasible route through the Temagami forest reserve and the townships east and north of Lake Temiskaming, and thence to the Ottawa River at or near the Quinze Rapids.

General powers.

9. The Company may, for the purposes of its railway,—

(*a*) build and operate tramways in connection therewith, with power to construct, operate and maintain branch lines and all necessary bridges, roads, ferries and other works;

(*b*) construct and maintain wharves, buildings and docks in connection therewith;

(*c*) build, acquire and maintain steam and other vessels and operate the same on any navigable waters within the provinces of Ontario and Quebec;

(*d*) build, equip, operate and maintain telegraph and telephone lines in connection with the said railway and branches;

(*e*) acquire water powers for the generation of electricity for the supply of heat, light and power;

(*f*) generate electricity;

(*g*) make traffic and other arrangements with railways, steamboats and other companies;

(*h*) have all other usual, necessary or incidental rights, powers or privileges in that behalf.

Issue of securities.

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

2nd Session, 10th Parliament, 6 Edward VII

THE SENATE OF CANADA

BILL.

J.J

An Act to incorporate the Tema
Cobalt and Temiskaming Railway
pany.

Received and read a first time:

Tuesday, 19th June, 1906.

Second reading:

Wednesday, 20th June, 1906.

Honourable Mr. McHu

OTTAWA
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1906

THE SENATE OF CANADA.

KK.] **BILL.** [1906.

An Act for the relief of William Edward Ogden.

Preamble.

WHEREAS William Edward Ogden, of the city of Toronto, in the county of York, province of Ontario, commercial traveller, has by his petition humbly set forth that on the twenty-fourth day of September, A.D. 1903, he was lawfully married at the village of Columbus, in the county of Ontario, in the said province, to Jessie Ruth Hodson, then of the city of Ottawa, spinster; that they cohabited until on or about the sixth day of February, A.D. 1904, when she deserted him; that she has ever since continued to live apart from him; that during the years A.D. 1904 and A.D. 1905, she lived and cohabited with one James P. Haverson, as his wife, at the city of Buffalo, in the state of New York, and in the city of St. Paul, in the state of Minnesota, both in the United States of America, and committed adultery with the said James P. Haverson; and whereas the said William Edward Ogden 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 to him as is deemed meet; and whereas he has proved the said allegations of his petition, and it is expedient that the prayer thereof be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between the said William Edward Ogden and Jessie Ruth Hodson, his wife, is hereby dissolved, and shall henceforth be null and void to all intents and purposes whatever.

Right to marry again.

2. The said William Edward Ogden may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Jessie Ruth Hodson had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

SENATE OF CANADA.

BILL.

KK

An Act for the relief of William Edward Ogden.

Received and read a first time:

Wednesday, 20th June, 1906.

Second reading:

Thursday, 21st June, 1906.

Honourable Mr. FROST.

OTTAWA
Printed by S. E. DAWSON
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1906

THE SENATE OF CANADA.

LL.] **BILL.** [1906.

An Act for the relief of Nettie M. Bulmer.

Preamble. WHEREAS Nettie M. Bulmer, of the city of Toronto, in the county of York, in the province of Ontario, has by her petition in effect set forth that on the fifteenth day of May, A.D. 1890, she was lawfully married to William Edgar Bulmer, commercial traveller, at the village of Preston, in the province of Ontario; that they co-habited until some time in A.D. 1903, when he deserted her and went to the city of Buffalo, in the state of New York, one of the United States of America, where he has since continued to reside, and where he is now residing; that at the said city of Toronto, in the year A.D. 1904, and at the said city of Buffalo, in the year A.D. 1905, he committed adultery; that ever since she discovered the said adultery they have lived separate and apart and have not co-habited; 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 to 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 His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved. **1.** The said marriage between the said Nettie M. Bulmer and William Edgar Bulmer, her husband, is hereby dissolved, and shall henceforth be null and void to all intents and purposes whatever.

Right to marry again. **2.** The said Nettie M. Bulmer may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Edgar Bulmer had not been solemnized.

2nd Session, 10th Parliament, 6 Edward VII., 1906.

THE SENATE OF CANADA.

BILL.

LL

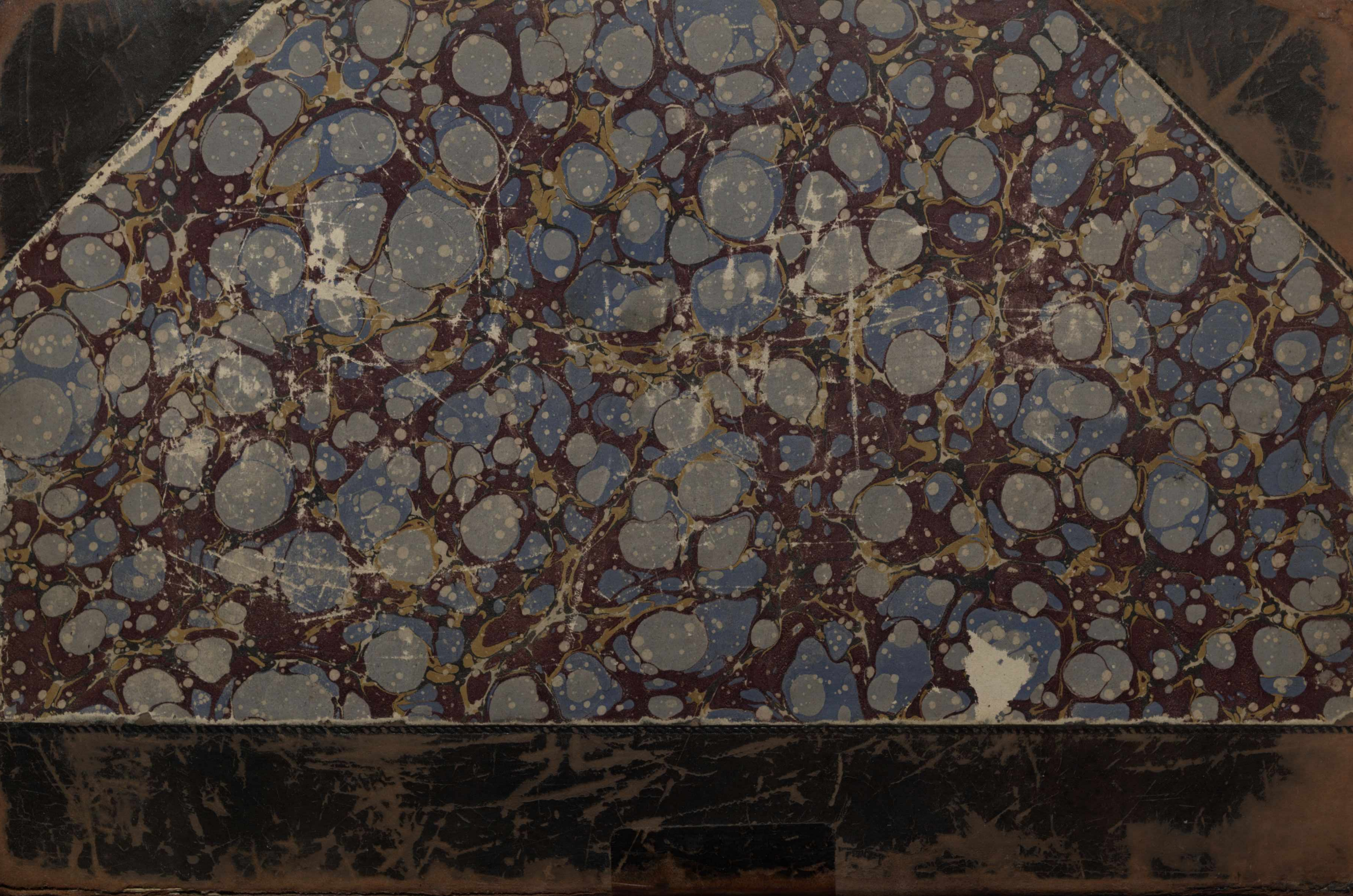
An Act for the relief of Nettie M. Bulmer.

Received and read a first time:

Wednesday, 27th June, 1906.

Second reading:

Wednesday, 27th June, 1906.

Honourable Mr. FROST.

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1906