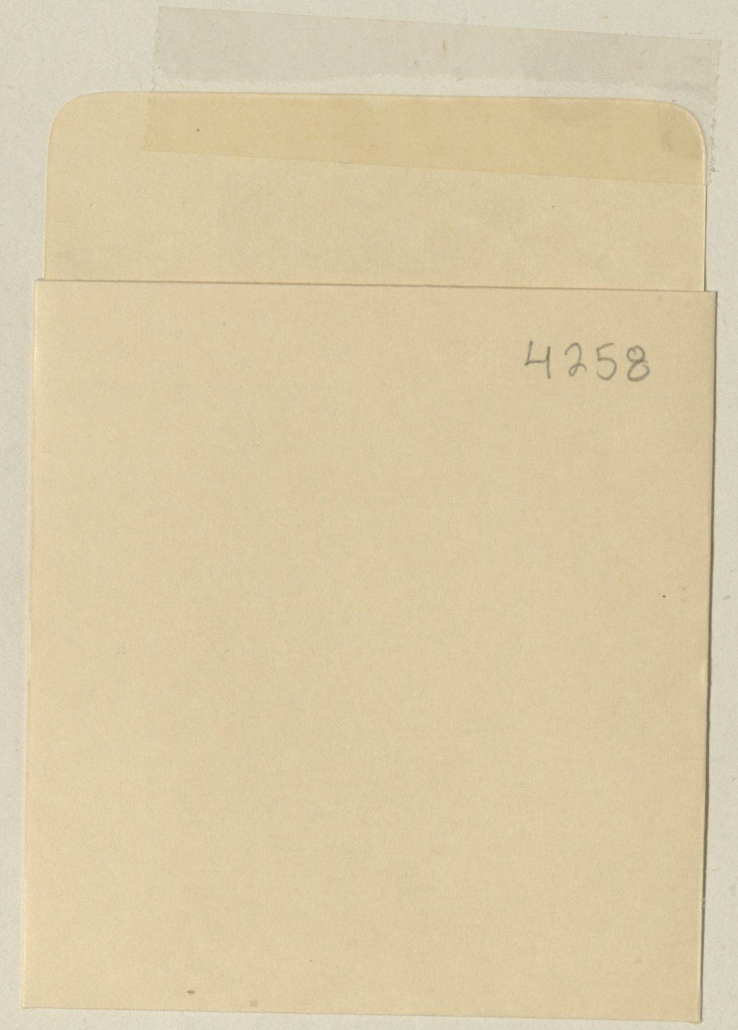
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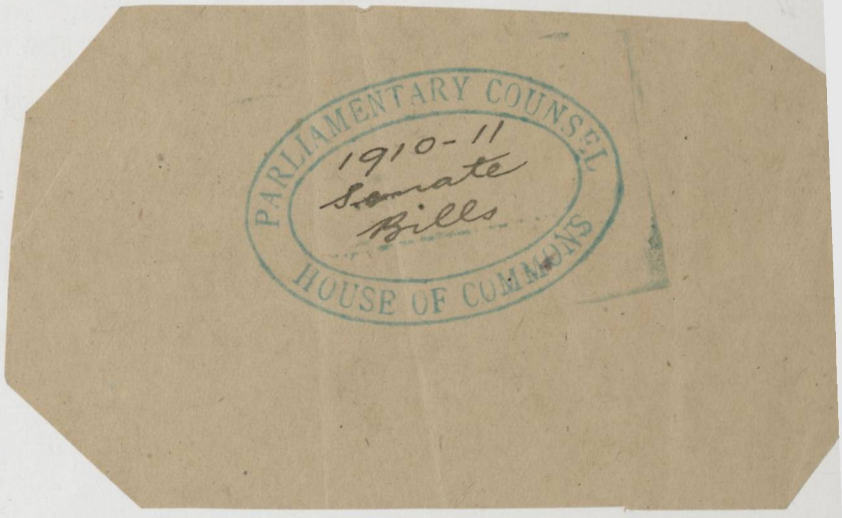
PARLIAMENTARY COUNSEL
1910-11
Senate
Bills
HOUSE OF COMMONS

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A.

An Act to provide for the incorporation of Railway Companies.

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

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

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

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

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

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

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

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

Subscribed shares.

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

Head office.

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

Provisional directors.

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

Secretary and Treasurer.

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

Execution of agreement.

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

Notice of agreement.

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

By publication in official and local newspapers.

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

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

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

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

By letter.

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

English and French.

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

Proof.

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

Examination and survey.

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

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

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

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

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

(*b*) the proposed gradients;

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

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

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

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

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

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

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

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

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

(*c*) proof that responsible persons have in good faith subscribed the amount of capital stock required by this Act, and that at least twenty-five per cent on the amount so

subscribed has been actually paid in cash into some chartered bank in Canada to the credit of the association to be used only for the purposes of the agreement of association;

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

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

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

Powers to Board.

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

Form and verification.

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

Requirements for issue of certificate.

7. If the Board is satisfied—

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

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

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

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

Issue of certificate.

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

Refusal of certificate.

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

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

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

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

(*c*) the provisional directors; Directors.

(*d*) the capital stock; Capital.

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

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

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

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

(*h*) the amount of bonds, debentures or other securities which may be issued. This shall be fixed at a certain rate per mile of the railway, and such issue shall be authorized to be made only in proportion to the length of railway constructed or under contract to be constructed, and on the express condition that all moneys realized from such issue shall be used for no other purpose than the construction, equipment, maintenance and operation of the railway, and that if by any court of competent jurisdiction it is found that this condition has not been fulfilled, that court shall order the corporation to pay an amount equal to the moneys so diverted from their proper use, which amount shall be paid into the consolidated revenue fund of Canada; Issue of securities.

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

10. When in the opinion of the Board it would be for the public interest that the powers hereinafter mentioned, or any of them, should be conferred upon the corporation, and that Additional powers.

such powers are necessary for the effectual carrying on of the business of the corporation as a common carrier, the Board may also determine whether and to what extent any or all or such powers should be conferred upon the corporation, that is to say, powers for—

Vessels, &c.

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

Development and utilization of power.

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

Operation of telegraph and telephone lines for public.

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

Issue of securities on property other than railway.

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

Issue of letters patent of incorporation.

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

Application of R.S., c. 37.

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

Interpretation.

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

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

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

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

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

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

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

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

SCHEDULE.

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

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

A

An Act to provide for the Incorporation of Railway Companies.

Received and read a first time,

Tuesday, 29th November, 1910.

Second reading,

Thursday, 1st December, 1910.

Honourable Mr. DAVIS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B.

An Act to amend The Dominion Lands Act.

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

1. Section 16 of *The Dominion Lands Act* is amended by adding the following proviso thereto:— 1908, c. 20, s. 16 amended.

"provided that if an entrant for a homestead within any area, in any of the provinces or territories to which this Act applies, which has been selected and set aside by the Governor in Council upon the recommendation of the Minister as suitable for tree culture, or in the event of the death of the entrant his legal representative, proves, in the same manner as fulfilment of the other conditions of homestead entry have to be proved, as in this Act is provided, that at the date of his application for the issue of letters patent for such homestead, there are not less than one thousand healthy trees growing upon such homestead, which such entrant or his legal representative planted thereon and each of which is then not less than one or two inches at its base, the same shall be accepted in lieu of one-half of the cultivation that would otherwise have to be proved to have been done to the lands comprising such homestead." Conditions of issue of letters patent for homestead. Cultivation of tree-bearing area.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

B

An Act to amend The Dominion Lands Act.

Received and read a first time,

Tuesday, 29th November, 1910.

Second reading,

Thursday, 1st December, 1910.

Honourable Mr. DAVIS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL C.

An Act to incorporate The Alberta-Saskatchewan Life Insurance Company.

Preamble.

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

Incorporation.

1. James A. Powell, Esquire, John A. O'Neill Hayes, Esquire, John A. Hislop, Esquire, and Robert Lee, Esquire, all of the city of Edmonton in the province of Alberta, and S. Harris, Esquire, of the city of Vancouver in the province of British Columbia, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Alberta-Saskatchewan Life Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital.

3. The capital stock of the Company shall be two million dollars, which may be increased to three million dollars.

Subscription before organization.

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

Subscription before commencing business.

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

Head office.

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

Business authorized.

7. The Company may make 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.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

C

An Act to incorporate The Alberta-Saskatchewan Life Insurance Company.

Received and read a first time

Tuesday, 17th January, 1911.

Second reading

Thursday, 19th January, 1911.

Honourable MR. LOUGHEED.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

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3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL C.

AS PASSED BY THE SENATE 24th FEBRUARY, 1911.

An Act to incorporate The Alberta-Saskatchewan Life Insurance Company.

Preamble.

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

Incorporation.

1. James A. Powell, esquire, John A. O'Neill Hayes, esquire, John A. Hislop, esquire, and Robert Lee, esquire, all of the city of Edmonton in the province of Alberta, and S. Harris, Esquire, of the city of Vancouver in the province of British Columbia, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Alberta-Saskatchewan Life Insurance Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital.

3. The capital stock of the Company shall be two million dollars, which may be increased to three million dollars.

Subscription before organization.

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

Subscription before commencing business.

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

Head office.

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

Business authorized.

7. The Company may make 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.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL D.

An Act to amend The Judges' Act.

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

1. Section 3 of chapter 39 of the statutes of 1908, intituled *An Act to amend The Judges' Act*, is hereby repealed and the following section is substituted therefor:— 1908, c. 39, s. 3 amended

"**3.** Sections 21, 22 and 23 of the said Act are hereby repealed, and the following sections are substituted therefor:— R.S., 1906, c. 138 amended.

"**21.** If any lieutenant governor, or any chief commissioner or assistant chief commissioner of the Board of Railway Commissioners for Canada, having been, at the time of his appointment as lieutenant governor, or as such chief commissioner or assistant chief commissioner, a judge of the Supreme Court of Canada, or of the Exchequer Court of Canada, or of any superior court in Canada, or having resigned his office as such judge for the purpose of accepting appointment as lieutenant governor, or as such chief commissioner or assistant chief commissioner, has continued in office as judge of one or more of such courts and in the said office of lieutenant governor, or chief commissioner or assistant chief commissioner, for periods amounting together to twelve years or upwards, or has become afflicted with a permanent infirmity disabling him from the due execution of his office, and if such lieutenant governor or chief commissioner or assistant chief commissioner resigns his office, or if his term of office, or any renewed term of office, has expired, His Majesty may, by letters patent under the Great Seal, reciting such periods of office or such permanent infirmity, grant to such lieutenant governor, or chief commissioner or assistant chief commissioner, an annuity equal to two-thirds of the salary of the judicial office which he held at the time of his appointment as lieutenant governor or chief commissioner or assistant chief commissioner, or which he resigned for the purpose of accepting such appointment, to commence immediately after his so ceasing to hold office as lieutenant governor or chief commissioner or assistant

New ss. 21, 22, 23.

Pension of lieutenant governor, or chief or assistant chief commissioner of Board of Railway Commissioners, if previously a judge.

chief commissioner, and to continue thenceforth during his natural life.

Pension in certain cases equal to salary of former judicial office.

"**22.** If any such lieutenant governor, or any such chief commissioner or assistant chief commissioner of the Board of Railway Commissioners, resigns his office or completes his term of service, original or renewed, therein, having, in either such case,—

"(*a*) attained the age of seventy-five years, and continued in office as such judge and in the said office of lieutenant governor or chief commissioner or assistant chief commissioner for periods amounting together to twenty years or upwards; or,

"(*b*) attained the age of seventy years, and continued in office as such judge and in the said office of lieutenant governor or chief commissioner or assistant chief commissioner for periods amounting together to twenty-five years or upwards; or,

"(*c*) continued in office as such judge and in the said office of lieutenant governor or chief commissioner or assistant chief commissioner for periods amounting together to thirty years or upwards;

His Majesty may, by letters patent under the Great Seal, reciting such period of service, and, in cases (*a*) and (*b*), such lieutenant governor's or chief commissioner's or assistant chief commissioner's age, grant to him an annuity, payable as aforesaid, equal to the salary of the judicial office which he held at the time of his appointment as lieutenant governor or chief commissioner or assistant chief commissioner, or which he resigned for the purpose of accepting such appointment, to commence immediately after his resignation as lieutenant governor or chief commissioner or assistant chief commissioner, and to continue thenceforth during his natural life.

Increase of pension if judicial salary was increased after he ceased to be judge.

"**23.** If, between the date of the appointment of any such lieutenant governor or chief commissioner or assistant chief commissioner, or of his resignation of his office as such judge, and the date of his resignation of, or retirement from, the office of lieutenant governor or chief commissioner or assistant chief commissioner, the salary attached to the judicial office which he held at the time of his appointment, or which he resigned for the purpose of accepting appointment as lieutenant governor or chief commissioner or assistant chief commissioner, has been increased, the annuity to be granted to him under this Act may be increased in the same proportion."

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

D

An Act to amend The Judges' Act.

Received and read a first time

Wednesday, 18th January, 1911.

Second reading

Wednesday, 25th January, 1911.

Honourable Mr. Choquette.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL E.

An Act respecting The Ontario Northern and Timagami Railway Company.

Preamble. 1898, c. 87; 1900, c. 84; 1902, c. 106; 1904, c. 134; 1905, c. 161; 1906, c. 136.

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

Extension of time for completion of authorized lines.

1. The Ontario Northern and Timagami Railway Company may, within five years after the passing of this Act, complete and put in operation the lines of railway which it has been heretofore authorized to construct; and if, within the said period, the said lines are not so completed and put in operation, the powers of construction conferred upon the said company shall cease and be null and void as respects so much of the said lines as then remains uncompleted.

Former time limit repealed.

2. Section 6 of chapter 136 of the statutes of 1906 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

E

An Act respecting The Ontario Northern and Timagami Railway Company.

Received and read a first time

Tuesday, 24th January, 1911.

Second reading

Thursday, 26th January, 1911.

Honourable Mr. McHugh.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL E.

AS PASSED BY THE SENATE 17th FEBRUARY, 1911.

An Act respecting The Ontario Northern and Timagami 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. 1898, c. 87; 1900, c. 84; 1902, c. 106; 1904, c. 134; 1905, c. 161; 1906, c. 136.

1. The Ontario Northern and Timagami Railway Company may, within two years after the passing of this Act, expend fifteen per cent of its capital stock upon the lines of railway which it has been heretofore authorized to construct, and may, within five years after the passing of this Act, complete and put in operation the said lines; and if, within the said periods respectively, the said expenditure is not so made and the said lines are not completed and put in operation, the powers of construction conferred upon the said company shall cease and be null and void as respects so much of the said lines as then remains uncompleted. Extension of time for completion of authorized lines.

2. Section 6 of chapter 136 of the statutes of 1906 is hereby repealed. Former time limit repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL F.

An Act to incorporate The Guardian Accident and Guarantee Company.

Preamble.

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

Incorporation.

1. Kennet W. Blackwell, manufacturer, Hugh M. Lambert, insurance manager, Albert William Atwater, King's Counsel, and D. Forbes Angus, vice-president of the Intercolonial Mining Company, all four of the city and district of Montreal, province of Quebec, Canada, together with such persons as become shareholders of the Company, are hereby incorporated under the name of "The Guardian Accident and Guarantee Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital.

3. The capital stock of the Company shall be one million dollars, which may be increased to two million dollars.

Subscription before general meeting.

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

Subscription and payment before commencing business.

5. The Company shall not commence business until one million dollars of the capital stock have been subscribed and two hundred and fifty thousand dollars paid thereon.

Head office.

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

Business authorized.

7. The Company may make contracts of insurance of any of the following classes as defined by *The Insurance Act*, 1910:—

(*a*) accident insurance;

(*b*) sickness insurance;

(*c*) burglary insurance ;

and may also make contracts of insurance,—

(*d*) guaranteeing the fidelity of persons in positions of trust or confidence, public or private, [and the due performance by them of the duties and obligations imposed on them by contract, agreement or otherwise;]

(*e*) against the breakage of plate or other glass either local or in transit [by land].

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

F

An Act to incorporate The Guardian Accident and Guarantee Company.

Received and read a first time

Tuesday, 24th January, 1911.

Second reading

Thursday, 26th January, 1911.

Honourable Mr. CASGRAIN.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL F.

AS PASSED BY THE SENATE 7th FEBRUARY, 1911.

An Act to incorporate The Guardian Accident and Guarantee 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. Kennet W. Blackwell, manufacturer, Hugh M. Lambert, insurance manager, Albert William Atwater, King's Counsel, and D. Forbes Angus, vice-president of the Intercolonial Mining Company, all four of the city and district of Montreal, province of Quebec, Canada, together with such persons as become shareholders of the Company, are hereby incorporated under the name of "The Guardian Accident and Guarantee Company," hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be one million dollars, which may be increased to two million dollars. Capital.

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

5. The Company shall not commence business until one million dollars of the capital stock have been subscribed and two hundred and fifty thousand dollars paid thereon. Subscription and payment before commencing business.

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

Business authorized.

7. The Company may make contracts of insurance of any of the following classes as defined by *The Insurance Act*, 1910:—

(*a*) accident insurance;

(*b*) sickness insurance;

(*c*) burglary insurance;

and may also make contracts of insurance,—

(*d*) guaranteeing the fidelity of persons in positions of trust or confidence, public or private, and the due performance by them of the duties and obligations imposed on them by contract, agreement or otherwise;

(*e*) against the breakage of plate or other glass either local or in transit by land.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL G.

An Act to incorporate The Grain Growers' Grain Company, Limited.

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

1. Thomas Alexander Crerar, John Kennedy, Roderick McKenzie, all of the city of Winnipeg, in the province of Manitoba, Edward Alexander Partridge and David Railton, of Sintaluta, in the province of Saskatchewan, Newel Edward Baumunk, of Dundurn in the province of Saskatchewan, George Langley, of Maymont, in the province of Saskatchewan, Thomas William Knowles, of Emerson, in the province of Manitoba, and Alexander von Mieliecki, of Calgary, in the province of Alberta, together with such persons as become shar holders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Grain Growers' Grain Company, Limited," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, a majority of whom shall form a quorum for the transaction of business; and, until otherwise provided under the by-laws of the Company, they shall possess all the powers which are conferred upon directors by *The Companies Act* and by this Act. Provisional directors. R.S., c. 79.

3. The capital stock of the Company shall be two million dollars, divided into shares of twenty-five dollars each. Capital stock.

4. The head office of the Company shall be in the city of Winnipeg, in the province of Manitoba [or at such other place as the directors by by-law appoint, and all meetings of the shareholders shall be held at the head office,] but the directors may establish other offices and places of business elsewhere. Head office and place for meetings.

Qualification of shareholders.

5. Such persons as are *bona fide* farmers or are the owners or lessees of a farm, and the wife and children of a farmer residing with him and assisting in his farm work and entitled by law to hold shares in a company shall be eligible to hold shares in the Company; provided however that shares may be allotted to any person not so eligible on resolution adopted by vote of two-thirds of he shareholders of the Company present or represented by proxy at any meeting of the company.

Condition precedent as to commencement of business.

Rev. Stats., Man., 1902, c. 30.

6. The Company shall not commence business until an agreement has been entered into and duly carried out between the Company and the "Grain Growers' Grain Company, Limited," a company incorporated under "*The Manitoba Joint Stock Companies Act*" and its amending Acts, and having its head office at the city of Winnipeg in the province of Manitoba, for the sale and transfer to the Company of the goodwill, stock-in-trade, business, franchises, letters-patent, undertaking assets, and property, real and personal, of the said "Grain Growers' Grain Company, Limited," under the powers conferred by this Act upon the Company and under the powers conferred upon or possessed by the said "Grain Growers' Grain Company, Limited."

Power to acquire business, etc., of Manitoba Company.

Payment therefor.

Assumption of Manitoba Company's obligations, etc.

7. The Company may purchase, take over or otherwise acquire, continue and carry on as a going concern the business or businesses now being carried on by the "Grain Growers' Grain Company, Limited," a company incorporated under "*The Manitoba Joint Stock Companies Act*" and its amending Acts, and having its head office at the city of Winnipeg, in the province of Manitoba, and the goodwill, stock-in-trade, franchises, letters-patent, undertaking, assets, and property, real and personal, of the said company, subject to the obligations, if any, affecting the same, and may pay for the same wholly or partly in cash or wholly or partly in fully paid up or partly paid up shares or stock of the Company, or wholly or partly in debentures of the Company, or otherwise; and may also undertake, assume, guarantee or pay all or any of the obligations, liabilities, contracts, and engagements of the said business or businesses, so carried on by the said "Grain Growers' Grain Company, Limited," and also the obligations affecting the assets and property so purchased or acquired from the said company.

Authorized business.

Grain and flour.

Dairy and farm products.

8. The Company may carry on the business of,—

(*a*) purchasing, receiving, handling, storing, shipping, dealing in, and selling grain, both as owners or as agent or otherwise, or as a broker for a commission for handling and selling the same; manufacturing, buying, and selling flour and other products of grain; owning, leasing, and operating mills for the manufacture of flour and all kinds of grain products; buying, receiving, handling, dealing in and selling all kinds of dairy and farm products

both as owners, or as agent or otherwise, or as a broker for a commission for handling and selling the same; buying, receiving, handling, dealing in and selling live stock, and manufacturing, buying, dealing in and selling cured and corned meats and meat products of all kinds, and hides and other animal products, both as owners or agent or otherwise, or as a broker for a commission for handling, and selling the same; and of farming, grain growing and stock raising in all their branches;

Live stock, meat products, etc.

Farming, etc.

(*b*) manufacturing, purchasing, dealing in and selling agricultural implements and machinery; purchasing, dealing in and selling coal, coal oil, gasoline, and other commodities used in generating power, lumber, hardware, brick, stone, lime, cement, and all kinds of building material, and all kinds of merchandise and supplies;

Agricultural implements.

Dealing in various minerals and merchandise.

(*c*) lumber merchants, and saw mill proprietors, and acquiring by purchase, lease or otherwise timber lands and limits, and purchasing, dealing in and selling lumber and wood of all kinds, and manufacturing and dealing in wood-pulp and wood products of all kinds;

Wood products, saw mills, timber lands, lumber, etc.

(*d*) quarry and colliery proprietors, coke manufacturers, and miners in all their respective branches, and purchasing, leasing or otherwise acquiring mines and mining rights, minerals and quarries; manufacturing bricks, tiles, pipes, artificial stone, pottery, earthenware, china and terra cotta, and ceramic ware of all kinds, and chemical and manure manufacturers;

Quarrying and mining.

Manufacture of bricks, etc., chemicals and manure.

(*e*) proprietors and publishers of newspapers, journals, and other literary undertakings; and printers, publishers, stationers, engravers, lithographers, book-binders, and paper and ink manufacturers;

Newspapers, etc., printing, etc., paper ink.

(*f*) lending money on the security of, or purchasing or investing in mortgages or hypothecs upon freehold or leasehold estate or other immovables and in the debentures, bonds, and other securities of any government or municipal or school corporation, or of any chartered bank or incorporated company;

Lending money on mortgage and other security.

(*g*) purchasing, leasing, or otherwise acquiring lands, buildings, easements, works, and structures of all kinds, and building and erecting buildings of all kinds including store and office buildings, and selling, leasing or otherwise disposing of the same.

Lands, buildings, etc.

2. For the purposes of its business, the Company may also,—

Subsidiary powers.

(*a*) construct, acquire, lease, sell and operate grain elevators, flouring mills, warehouses, stock yards, tanneries, abattoirs, cold storage warehouses, sheds, meat packing plants, cheese factories, creameries, and condensing factories, and such buildings and manufacturing plants as may be necessary or convenient for the Company;

Acquisition and operation of elevators, mills, factories, etc.

(*b*) acquire, lease, and utilise hydraulic, electric or other power, and enter into any arrangement with any authorities, municipal, local or otherwise, that may seem conducive to the ompany's objects, and obtain from any such authority any

Hydraulic, electric and other power.

rights, privileges and concessions which the Company may think desirable, and may carry out, exercise and comply with any such arrangements, rights, privileges, and concessions;

Vessels, wharves, warehouses, etc.

(*c*) build, construct, acquire, charter, operate, manage, sell, lease, and otherwise dispose of all kinds of vessels, wharves, docks, piers, warehouses, and other buildings and works;

Acquisition of real property generally.

(*d*) purchase, hold, lease or otherwise acquire, lands, farms, ranches, buildings, stores, and other property, real and personal and improve, extend, manage, develope, lease, mortgage, pledge, hypothecate, exchange, sell, dispose of or otherwise deal in and with the same;

Acquisition of shares in other companies.

(*e*) acquire and hold shares in any company or association having objects altogether or in part similar to those of the Company or carrying on any business capable of being conducted so as directly or indirectly to benefit the Company; and also

Acquisition of shares of banks, loan companies, etc.

acquire by purchase or otherwise and hold shares in the Home Bank of Canada and in any chartered bank of Canada, and in any loan, trust or mortgage company incorporated by the Parliament of Canada or by the law of any province of Canada; and

Carrying on of any convenient business.

generally carry on any business which may seem to the Company capable of being conveniently carried on in connection with the Company's business;

Acquisition of businesses similar to the Company's.

(*f*) purchase or otherwise acquire any business within the objects of the Company and any lands, property, privileges, rights, contracts, and liabilities appertaining to the same; and

Disposal of Company's business.

sell or otherwise dispose of the business, property, or undertaking of the Company, or any part thereof, for such considerations as the Company may think 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; and

Purchase of grain consigned to Company.

purchase grain consigned or shipped to the Company as agent or broker, or otherwise.;

Construction and operation of railway lines.

(*g*) construct, equip, maintain and operate all such railways, railway sidings, tramways, switches or spur lines as are necessary to connect any property of the Company with its elevators, mills or other buildings or with the line of any railway company incorporated by, or under the control of Parliament.

Increase of capital stock.

9. After the whole of the capital stock of the Company has been subscribed or issued and fifty per cent thereof has been paid up, the capital stock may be increased, from time to time,

Limit to amount.

to an amount not exceeding five million dollars, by the directors of the Company, under the authority of a vote of not less than two-thirds of the shareholders present or represented by proxy at a general or special meeting duly called to consider a by-law to increase the capital stock; and such increased capital stock

Issue and dealing with.

shall be issued and may be held subject to the same conditions and dealt with in the same manner as the original capital stock of the company.

10. The Company may make, accept, and endorse or execute cheques, promissory notes, bills of exchange, warehouse receipts, bills of lading, warrants, and other negotiable or transferable instruments. Issue of negotiable instruments.

11. The Company may, by by-law adopted by a vote of not less than two-thirds of the shareholders of the Company present or represented by proxy at a general or special meeting of the Company, duly called for considering the by-law, empower the directors of the Company to borrow from time to time money upon the credit of the Company or upon the security of any of the real or personal property of the Company, to such an amount or amounts as may be specified in such by-law; and upon the adoption of such by-law in manner aforesaid the directors may from time to time borrow money upon the credit of the Company as well as upon the security of any of the real or personal property of the Company to such amount or amounts; and for the purposes of securing the said money may hypothecate, mortgage, or pledge all or any of the real or personal property of the Company. Nothing in this section contained however shall apply to or limit 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, or shall be held to restrict or limit the borrowing powers possessed by the Company at law or under *The Companies Act*. Borrowing powers. Security Proviso. R.S., c. 79.

12. The Company may invest in or advance and lend money on real, personal or mixed securities, on cash, credit or other accounts, or policies, bonds debentures, bills of exchange, promissory notes, or other obligations, or on the deposit of elevator and warehouse receipts and other documents of title to goods, wares and merchandise, bills of lading, certificates and other warranty of title, or lend money on the security of existing produce, and in particular to customers and others having dealings with the Company. Powers for investment and lending money.

13. The directors of the Company may set apart from the earnings and profits in any year of the Company so much thereof as the directors deem necessary and proper for use as a reserve fund, in addition to the capital and assets of the Company, to be used by the directors with said capital and assets in carrying on the business of the Company. Reserve fund.

2. The Company may at any annual general meeting of the Company, on resolution adopted by a vote of the shareholders present or represented by proxy at such meeting, order when the profits of the Company in any year show a surplus after providing a dividend of not less than eight per cent on the par value of the subscribed capital of the Company and any sum set apart by the directors as or towards a reserve fund, that said Distribution of surplus.

surplus shall be distributed among the shareholders of the Company upon such basis and in such proportions as may be set out in said resolution; provided however that notice of the said resolution shall be mailed or delivered to the shareholders of the Company at the same time that notice of the date of such annual general meeting of the Company is mailed or delivered to the Company's shareholders.

Notice to shareholders.

Superannuation, pension funds, etc.

3. The Company may, on resolution adopted by a vote of shareholders present or represented by proxy at any general meeting of the Company, notice of the resolution having been mailed or delivered, with the notice convening such meeting, to the shareholders of the Company, constitute from the earnings of the Company a superannuation, pension, annuity, insurance or invalidity fund for the benefit of officers and servants of the Company, under and upon such scheme as has been adopted at such meeting by such vote.

Issue of debentures for purchase of business of Manitoba Company, under s. 7.

Interest.

Amount.

Form.

Sale or pledge.

Security.

14. The directors of the Company, under authority of a by-law for the purpose adopted by a vote of not less than two-thirds of the shareholders of the Company present or represented by proxy at any meeting of the Company called for the purpose of considering the by-law, may from time to time create and issue debentures, bearing such rate of interest as may be agreed upon, for sums of not less than one hundred dollars each, signed by the president or other presiding officer, under the seal of the Company, and countersigned by the secretary and payable to bearer or order; and the directors may deliver the debentures for the purposes set forth in section 7 of this Act; and the directors may sell or pledge the said debentures for the purpose of borrowing money or of paying or securing the indebtedness of the Company. The said debentures and interest thereon, if intended to be secured, may be secured by mortgage upon such of the property and assets of the Company as are described in the mortgage deed; and such mortgage deed may give to the holders of the said debentures or the trustees or trustee for such holders named in such mortgage deed, such powers, powers of sale, rights, and remedies as are specified in such mortgage deed.

Voting power of shareholders.

Proxies.

15. A shareholder of the Company shall have but one vote, and shall not be entitled to a vote for each share in the stock of the Company he may own. A proxy to vote on behalf of a shareholder shall not be given to any shareholder who is a director, officer or employee of the Company.

Limit to number of shares held by one shareholder.

16. No shareholder of the Company shall hold or own more than forty shares in the share capital of the Company.

17. The Company shall not be bound to register the transfer of shares in the share capital of the Company, except to the assignee in insolvency of a shareholder, or the legal representative of a shareholder on the death of such shareholder, or the committee in lunacy of a shareholder, unless by resolution of a majority of shareholders of the Company present or represented by proxy at a meeting of the Company sanctioning the transfer of such shares. Registration of transfer of shares unnecessary except in certain cases.

18. The directors of the Company shall be classified in respect of the time for which they shall severally hold office, by dividing them as equally as possible into three classes, each class consisting of one third of the whole number of the board of directors. The directors of the first class shall be elected for a term of one year; the directors of the second class shall be elected for a term of two years, and the directors of the third class shall be elected for a term of three years. At each annual election, the successors to the directors of the class whose term shall expire in that year shall be elected to hold office for the term of three years, so that the term of office of one class of directors shall expire in each year. A director whose term of office is expiring shall be eligible for re-election. In case of any vacancy in the directors of any class through death, resignation, disqualification, or other cause, the remaining directors, by vote of a majority thereof, may elect a successor to hold office for the unexpired portion of the term of the director whose place is vacant, and until the election of his successor. The Company may by by-law or resolution remove any director before the expiration of his period of office, and appoint another person in his stead. Election of directors. Classification. Term of office. Filling of vacancies. Removal from office

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE O F CANADA.

BILL

G

An Act to incorporate The Grain Growers' Grain Company, Limited.

Received and read a first time

Friday, 27th January, 1911.

Second reading

Wednesday, 1st February, 1911.

Honourable Mr. Davis.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL G.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Grain Growers' Grain Company, Limited.

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

1. Thomas Alexander Crerar, John Kennedy, Roderick McKenzie, all of the city of Winnipeg, in the province of Manitoba, Edward Alexander Partridge and David Railton, of Sintaluta, in the province of Saskatchewan, Newel Edward Baumunk, of Dundurn in the province of Saskatchewan, George Langley, of Maymont, in the province of Saskatchewan, Thomas William Knowles, of Emerson, in the province of Manitoba, and Alexander von Mieliecki, of Calgary, in the province of Alberta, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Grain Growers' Grain Company, Limited," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, a majority of whom shall form a quorum for the transaction of business. Provisional directors.

3. The head office of the Company shall be at the city of Winnipeg, in the province of Manitoba, and all meetings of the shareholders shall be held at the head office, but the directors may establish other offices and places of business elsewhere. Head office and place for meetings.

4. The capital stock of the Company shall be two million dollars, divided into shares of twenty-five dollars each. Capital stock.

3rd Session, 11th Parliament, 1 George V., 1910-11

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AS PASSED BY THE SENATE 31st MARCH, 1911.

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1. Thomas Alexander Crerar, John Kennedy, Roderick McKenzie, all of the city of Winnipeg, in the province of Manitoba, Edward Alexander Partridge and David Railton, of Sintaluta, in the province of Saskatchewan, Newel Edward Baumunk, of Dundurn in the province of Saskatchewan, George Langley, of Maymont, in the province of Saskatchewan, Thomas William Knowles, of Emerson, in the province of Manitoba, and Alexander von Mieliecki, of Calgary, in the province of Alberta, together with such persons as become shareholders in the company hereby incorporated, are hereby constituted a body corporate under the name of "The Grain Growers' Grain Company, Limited," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, a majority of whom shall form a quorum for the transaction of business. Provisional directors.

3. The head office of the Company shall be at the city of Winnipeg, in the province of Manitoba, and all meetings of the shareholders shall be held at the head office, but the directors may establish other offices and places of business elsewhere. Head office and place for meetings.

4. The capital stock of the Company shall be two million dollars, divided into shares of twenty-five dollars each. Capital stock.

Limit to number of shares held by one shareholder.

5. No shareholder of the Company shall hold or own more than forty shares in the share capital of the Company.

Qualification of shareholders.

6. Those persons only who are farmers or owners or lessees of farms, and the wives and children of such persons, shall be eligible to hold shares in the Company; provided however that shares may be allotted to any person not so eligible on resolution adopted by vote of two-thirds of the shareholders of the Company present or represented by proxy at any meeting of the Company.

Registration of transfer of shares unnecessary except in certain cases.

7. The Company shall not be bound to register any transfer of shares in the capital stock of the Company, except to the assignee in insolvency of a shareholder, or the legal representative of a shareholder on the death of such shareholder, or the committee in lunacy, tutor or curator of a shareholder, unless by resolution of a majority of shareholders of the Company present or represented by proxy at a meeting of the Company sanctioning the transfer of such shares has been authorized.

Increase of capital stock.

Limit to amount.

8. After the whole of the capital stock of the Company has been subscribed or issued and fifty per cent thereof has been paid up, the capital stock may be increased, from time to time, to an amount not exceeding five million dollars, by the directors of the Company, under the authority of a vote of not less than two-thirds of the shareholders present or represented by proxy at a general or special meeting duly called to consider a by-law to increase the capital stock; and such increased capital stock shall be issued and held subject to the same conditions and shall be dealt with in the same manner as the original capital stock of the Company.

Issue and dealing with.

Voting power of shareholders.

9. A shareholder of the Company shall have but one vote, and shall not be entitled to a vote for each share in the stock of the Company he may own.

Term of office of directors.

R.S., c. 79, ss. 128, 132.

10. Notwithstanding the provisions of section 128 of *The Companies Act* the Company may, by by-law, provide that the directors shall be elected for one, two or three years. If the by-law provides for a two years' or three years' term of office it may also provide either,—

(*a*) that the term of office shall be continuous for all directors; or—

(*b*) that a certain proportion of the directors, not less than one-third, shall retire annually.

Power to acquire business, etc., of Manitoba Company.

11. The Company may acquire, by purchase or otherwise, the franchises, undertaking, real and personal property, and other assets of the "Grain Growers' Grain Company, Limited," a company incorporated under *The Manitoba Joint Stock Companies*

Act, subject however to all the duties and obligations of the said company; and may pay for the same wholly or partly in cash, or wholly or partly in fully paid-up shares of the Company, or wholly or partly in debentures of the Company, or otherwise; and, in the event of such acquisition, the Company may continue and carry on as a going concern the business of the said Company.

Rev. Stats., Man., 1902, c. 30.

Payment therefor.

Power to continue the business.

12. The Company shall not exercise any of the powers conferred upon it by sections 13 and 14 of this Act until an agreement for the purposes of section 11 of this Act has been entered into between the Company and the said "Grain Growers' Grain Company, Limited," except where the exercise of any of the said powers may be necessary for the purposes of entering into or carrying out the said agreement.

Condition precedent as to commencing business.

13. The objects or purposes of the Company shall be to produce, manufacture, import, export, buy, sell, deal in and deal with all cereals, fruit, vegetable, animal or other products of the farm, all products or by-products thereof, and all machinery, implements, goods, wares and merchandise which may be used in the production and manufacture of products of the farm, and all articles, substances and things which may be utilized in the said production or in the maintenance, cultivation, improvement and development of farms; and, without restricting the generality of the foregoing expressions, to carry on the business of a farmer in all its branches.

Authorized objects or purposes of the Company.

14. For the objects and purposes set forth in section 13 of this Act, the Company may—

Powers.

(*a*) manufacture, buy, sell, deal in and deal with timber, lumber, hardware, bricks, stone, tiles, wood products of all kinds, building material of every description, and all kinds of merchandise and supplies;

Manufacturing and dealing.

(*b*) manufacture, develop, transmit, distribute and use pneumatic, hydraulic, electric or other power or force for any purpose for which the same may be used, and manufacture, buy, sell and deal in all machinery, implements and material necessary for the manufacture, development, transmission and distribution of pneumatic, hydraulic, electric or other power or force: Provided, however, that any distribution or transmission of power or force beyond the lands of the Company shall be subject to local and municipal regulations in that behalf;

Development and use of power.

Proviso as to municipal control.

(*c*) purchase, acquire, develop, operate, hold, dispose of, or otherwise turn to account timber lands, timber licenses, coal lands, quarries, water-powers, and other lands for the purposes of the Company;

Timber lands, mines, water powers, etc.

(*d*) subscribe for, purchase or otherwise acquire, and hold, sell or otherwise dispose of the shares, bonds, debentures or other securities of any bank, or of any printing or publishing company,

Holding of shares, bonds, etc.

Ships, etc.

but in the case of a bank to no greater extent than one-fourth of the capital stock of such bank:

(*e*) purchase or otherwise acquire, build, operate and charter ships, barges, vessels or other means of transporting passengers and cargo by water;

Arrangements with authorities.

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

Acquisition of similar businesses, etc.

(*g*) acquire or undertake the whole or any part of the business, property and liabilities of any person or company carrying on any business which the Company is authorized to carry on or possessed of property suitable for the purposes of the Company;

Patents, licenses, etc.

(*h*) apply for, purchase or otherwise acquire, any patents, licenses, concessions and the like, conferring any exclusive or non-exclusive, or limited rights to use, or any secret or other information as to, any invention which may seem capable of being used for any of the purposes of the Company, or the acquisition of which may seem calculated directly or indirectly to benefit the Company, and use, exercise, develop or grant licenses in respect of, or otherwise turn to account, the property, rights or information so acquired;

Works and buildings.

(*i*) construct, improve, maintain, work, manage, carry out or control any roads, ways, tramways, branches or sidings on lands owned or controlled by the Company, bridges, reservoirs, watercourses, wharves, manufactories, warehouses, elevators, electric works, shops, stores, office buildings, and other works and conveniences, and contribute to, subsidize, or otherwise assist or take part in, the construction, improvement, maintenance, working, management, carrying out or control thereof;

Loans to customers, etc.

(*j*) lend money to customers and others having dealings with the Company and guarantee the performance of contracts by any such persons; notwithstanding the provisions of section 167 of *The Companies Act;*

Negotiable instruments.

(*k*) draw, make, accept, endorse, discount, execute and issue, promissory notes, bills of exchange, bills of lading, warrants, and other negotiable or transferable instruments;

Sale of Company's undertaking.

(*l*) sell or dispose of the undertaking of the Company, or any part thereof, for such consideration as the Company may think 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;

As principals or otherwise.

(*m*) do all or any of the above things as principals, agents, contractors, trustees or otherwise, and either alone or in conjunction with others;

Incidentals.

(*n*) do all such other things as are incidental or conducive to the attainments of the objects or purposes of the Company.

Borrowing powers.

15. If authorized by by-law, sanctioned by a vote of not less than two-thirds of the shareholders of the Company present or represented by proxy at a general or special meeting of the Company duly called for considering the by-law, the directors may from time to time,— By-law necessary.

(*a*) borrow money upon the credit of the Company; Borrowing.

(*b*) limit or increase the amount to be borrowed; Amount.

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

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

2. Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company. Bills and notes not affected hereby.

16. The directors of the Company may set apart from the earnings and profits in any year of the Company so much thereof as the directors deem necessary and proper for use as a reserve fund, in addition to the capital and assets of the Company, to be used by the directors with said capital and assets in carrying on the business of the Company. Reserve fund.

2. The Company may at any annual general meeting of the Company, on resolution adopted by a vote of the shareholders present or represented by proxy at such meeting, order that when the profits of the Company in any year show a surplus after providing a dividend of not less than eight per cent on the par value of the subscribed capital of the Company and any sum set apart by the directors as or towards a reserve fund, the said surplus shall be distributed among the shareholders of the Company upon such basis and in such proportions as may be set out in the said resolution; provided however that notice of the said resolution shall be mailed or delivered to the shareholders of the Company at the same time that notice of the date of such annual general meeting of the Company is mailed or delivered to the Company's shareholders. Distribution of surplus. Notice to shareholders.

17. The Company may, on resolution adopted by a vote of shareholders present or represented by proxy at any general meeting of the Company, notice of the resolution having been mailed or delivered, with the notice convening such meeting, to Superannuation, pension funds, etc.

the shareholders of the Company, constitute from the earnings of the Company superannuation, pension, annuity, insurance and invalidity funds, for the benefit of officers and servants of the Company, under and upon such scheme as has been adopted at such meeting by such vote.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL H.

An Act respecting The Quebec and New Brunswick Railway Company.

Preamble. 1900, c. 75. 1903, c. 176. 1906, c. 149. 1909, c. 125.

WHEREAS The Quebec and New Brunswick 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:—

Extension of time for construction.

1. The Quebec and New Brunswick Railway Company may, within two years after the passing of this Act, commence the construction of its railway as authorized by chapter 75 of the statutes of 1900, and by the Acts in amendment thereof, and expend fifteen per cent of the amount of its capital stock thereon; and may within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not so completed and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said company shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

1900, c. 75, s. 7. 1908, c. 149, s. 4. 1909, c. 125, s. 2.

Repeal of former time limit.

2. Section 3 of chapter 125 of the statutes of 1909 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

H

An Act respecting The Quebec and New Brunswick Railway Company.

Received and read a first time

Friday, 27th January, 1911.

Second reading

Wednesday, 1st February, 1911.

Honourable MR. COSTIGAN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL H.

AS PASSED BY THE SENATE 17th FEBRUARY, 1911.

An Act respecting The Quebec and New Brunswick Railway Company.

WHEREAS The Quebec and New Brunswick 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. 75. 1903, c. 176. 1906, c. 149. 1909, c. 125.

1. The Quebec and New Brunswick Railway Company may, within two years after the passing of this Act, commence the construction of its railway as authorized by chapter 75 of the statutes of 1900, and by the Acts in amendment thereof, and expend fifteen per cent of the amount of its capital stock thereon; and may within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not so completed and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said company shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Extension of time for construction. 1900, c. 75, s. 7. 1908, c. 149, s. 4. 1909, c. 125, s. 2.

2. Section 3 of chapter 125 of the statutes of 1909 is hereby repealed. Repeal of former time limit.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL I.

An Act respecting the Pollution of Navigable Waters.

Preamble.

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

Interpretation.

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

Prohibition of placing sewage and other refuse matter in navigable waters, except according to regulations.

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

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

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

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

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

Exception of private persons using public sewers.

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

Penalties. Corporations.

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

Individuals.

2. Every person, other than a corporation, who is convicted of any such offence or violation shall be liable to a fine not

exceeding fifty dollars and an additional amount of ten dollars for each day the offence continues, or to imprisonment not exceeding two months, or to both such fine and imprisonment.

Disposal of fines recovered.

3. One-half of any sum recovered under this section shall belong and be paid to the person upon whose information or at whose instance proceedings for the recovery thereof were had, and the other half shall be paid into the Consolidated Revenue Fund of Canada.

Regulations by Governor in Council.

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

Order and permits by Minister.

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

Appeal from Minister's order, etc.

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

Form of appeal.

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

Appeal from Superior Court.

6. An appeal shall also lie, at the instance of either party, to the Supreme Court of Canada from the order or decision of the said superior court.

Enforcement of orders.

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

Procedure in courts.

8. Subject to the provisions of this Act, and in so far as they are not incompatible therewith, all enactments, rules and orders relating to proceedings in the superior courts of original jurisdiction in the several provinces and of the Supreme Court of Canada on appeals thereto, shall apply to proceedings had or

appeals taken under this Act in the same manner as if such proceedings or appeals related to a matter within the ordinary jurisdiction of the said Courts.

Power to Governor General to exempt certain waters from operation of Act.

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

Date of operation of Act.

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

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

I

An Act respecting the Pollution of Navigable Waters.

Received and read a first time

Tuesday, 31st January, 1911.

Second reading

Thursday, 2nd February, 1911.

Honourable Mr. Belcourt.

OTTAWA
Printed by C. H. Parmelee
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL I.

AS PASSED BY THE SENATE 4th APRIL, 1911.

An Act respecting the Pollution of Navigable Waters.

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

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

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

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

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

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

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

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

3. Every corporation convicted of an offence against this Act or of a violation of any regulation or order made or permit granted under the authority of this Act shall be liable to a fine Penalties. Corporations.

not exceeding five hundred dollars and an additional amount of fifty dollars for each day the offence continues.

Individuals.

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

Disposal of fines recovered.

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

Regulations by Governor in Council.

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

Authorities and officers for enforcement of Act.

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

Order and permits by Minister.

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

Appeal from Minister's order, etc.

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

Form of appeal.

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

Enforcement of orders.

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

Procedure in courts.

7. Subject to the provisions of this Act, and in so far as they are not incompatible therewith, all enactments, rules and orders

relating to proceedings in the superior courts of original jurisdiction in the several provinces or appeals thereto, shall apply to proceedings had or appeals taken under this Act in the same manner as if such proceedings or appeals related to a matter within the ordinary jurisdiction of the said Courts.

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

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

Date of operation of Act.

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL J.

An Act to incorporate The Canadian Inter-Mountain 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. James A. Harvey, Walter Clayton, William Warner, and Ernest W. Bigelow, all of the city of Vancouver, British Columbia, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The Canadian Inter-Mountain Railway Company", hereinafter called "the Company". Incorporation. Corporate name.

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

3. The capital stock of the Company shall be five 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 Vancouver, in the province of British Columbia. 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,— Lines of railway authorized.

(1) from a point in the province of Alberta at or near Coutts, thence northerly to Milk River, thence in a generally westerly direction to the town of Cardston, thence in a generally southwesterly direction to the western boundary of the province of

Alberta at the summit of Kishenehna Pass, thence in a generally westerly direction in the province of British Columbia to the Flathead River, thence in a generally northerly and northwesterly direction to a point on The Canadian Pacific Railway at or near the City of Fernie;

(2) from a point on the railway authorized by paragraph (1) of this section, at or near Milk River in the province of Alberta, thence in a general y easterly direction by the most feasible route to Estevan, in the province of Saskatchewan;

(3) and also the following branch lines,—

Branches.

(*a*) from a point on the railway hereby authorized, at or near the junction of Calder Creek and the Flathead River, to a point at or near the town of E ko;

(*b*) from a point at or near Cardston in the province of Alberta to the town of Lethbridge;

(*c*) from a point in or near township three, range one, west of the fourth meridian, in the province of Alberta, to the town of Medicine Hat;

(*d*) from a point in or near township four, range nineteen, west of the third meridian, to the town of Swift Current;

(*e*) from a point in or near township six, range twenty-nine, west of the second meridian, to the town of Moosejaw.

Special powers.

Vessels.

8. 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 and cargo on all navigable waters in the vicinity of its railway, and may enter into agreements with the owners of such vessels for any of such purposes, and may generally for the purposes of its undertaking carry on the business of ship-owners and carriers by water.

Telegraph and telephone lines.

R.S., c. 37.

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

Contracts with other companies.

Tolls or charges.

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

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

10. In connection with its business and for the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may— Acquisiton and development of water-powers.

(*a*) acquire (but not by expropriation), and develope water-powers, rights, easements, and privileges in the vicinity of its railway, and construct, maintain, and operate dams, reservoirs, buildings and works for the transmission and distribution of electricity for light, heat, power or any other purpose in connection with its railway, vessels, and other properties and works, and transmit and deliver the same to any place through which the railway is authorized to be built; Transmission of electric and other power.

(*b*) supply, sell or otherwise dispose of any surplus water, electricity, electric or other power not required for the purposes of the Company, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such rates and charges from time to time. Disposition of surplus power. Approval of rates charged.

2. No such dam shall be constructed until the site and plans thereof have been submitted to and approved of by the Minister of Public Works. Approval of dams.

11. The securities issued by the Company on that part of its railway west of Cardston, Alberta, shall not exceed fifty thousand dollars per mile of the railway, and on that part of its railway east of Cardston, Alberta, 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. Issue of securities.

12. In addition to the securities authorized by section 11 of this Act, the directors may, under the authority of a resolution of the shareholders passed at any special meeting called for the purpose, or at any annual meeting at which shareholders representing at least two-thirds in value of the issued capital stock of the Company are present or represented by proxy, from time to time at their discretion, borrow money for the Company's purposes other than the railway, and may issue bonds, debentures, perpetual or terminable debenture stock, or other securities for the construction and acquisition of any of the vessels, properties or works, which the Company is authorized to construct, acquire or operate, other than the railway; but such bonds, debentures, perpetual or terminable debenture stock or other securities shall not exceed in amount the value of the vessels, properties, or works in respect of which they are issued. Issue of securities for purposes other than railway.

Power to execute mortgages as security.

2. For the purpose of securing any such issue of 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, other than the railway, as are described in such mortgages.

R.S., c. 37. ss. 136–148, to apply.

3. All the provisions of sections 136 to 148, both inclusive, of *The Railway Act*, shall, so far as they are applicable, apply to such bonds ,debentures, debenture stocks and other securities and mortgages.

Agreements with other companies.

13. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in said section 361, such companies being;— The Canadian Pacific Railway Company, The Canadian Northern Railway Company, The Grand Trunk Pacific Railway Company, The Alberta Railway and Irrigation Company, and The Crow's Nest Southern Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

J

An Act to incorporate The Canadian Inter-Mountain Railway Company.

Received and read a first time

Tuesday, 31st January, 1911.

Second reading

Thursday, 2nd February, 1911.

Honourable Mr. De Veber.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

134 ~~265~~

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL J.

AS PASSED BY THE SENATE 24th FEBRUARY, 1911.

An Act to incorporate The Canadian Inter-Mountain 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. James A. Harvey, Walter Clayton, William Warner, and Ernest W. Bigelow, all of the city of Vancouver, British Columbia, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The Canadian Inter-Mountain Railway Company", hereinafter called "the Company". Incorporation. Corporate name.

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

3. The capital stock of the Company shall be five 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 Vancouver, in the province of British Columbia. 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,— Lines of railway authorized

(1) from a point in the province of Alberta at or near Coutts, thence northerly to Milk River, thence in a generally westerly

direction to the town of Cardston, thence in a generally south-westerly direction to the western boundary of the province of Alberta at the summit of Kishenehna Pass, thence in a generally westerly direction in the province of British Columbia to the Flathead River, thence in a generally northerly and north-westerly direction to a point on The Canadian Pacific Railway at or near the City of Fernie;

(2) from a point on the railway authorized by paragraph (1) of this section, at or near Milk River in the province of Alberta, thence in a generally easterly direction by the most feasible route to Estevan, in the province of Saskatchewan;

(3) and also the following branch lines,—

Branches.

(*a*) from a point on the railway hereby authorized, at or near the junction of Calder Creek and the Flathead River, to a point at or near the town of Elko;

(*b*) from a point at or near Cardston in the province of Alberta to the town of Lethbridge;

(*c*) from a point in or near township three, range one, west of the fourth meridian, in the province of Alberta, to the town of Medicine Hat;

(*d*) from a point in or near township four, range nineteen, west of the third meridian, to the town of Swift Current;

(*e*) from a point in or near township six, range twenty-nine, west of the second meridian, to the town of Moosejaw.

Special powers.

Vessels.

8. 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 and cargo on all navigable waters in the vicinity of its railway, and may enter into agreements with the owners of such vessels for any of such purposes, and may generally for the purposes of its undertaking carry on the business of ship-owners and carriers by water.

Telegraph and telephone lines.

R.S., c. 37.

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

Contracts with other companies.

Tolls or charges.

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

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

10. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may generate and acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which its railway is built, and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time. Power and electricity. R.S., c. 37. Approval of rates.

11. Nothing in this Act or in *The Telegraphs Act*, shall authorize the Company to construct or operate 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, or to sell, dispose of or distribute electric power or energy within or for use within the limits of any municipality without the consent expressed by by-law of such municipality. Consent of municipalities required for telegraph and telephone lines upon highways, etc.

12. The securities issued by the Company on that part of its railway west of Cardston, Alberta, shall not exceed fifty thousand dollars per mile of the railway, and on that part of its railway east of Cardston, Alberta, 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. Issue of securities.

13. In addition to the securities authorized by section 12 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made. Issue of securities for purposes other than building railway. Limit of amount

Agreements with other companies.

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in said section 361, such companies being,— The Canadian Pacific Railway Company, The Canadian Northern Railway Company, The Grand Trunk Pacific Rai way Company, The Alberta Rai.way and Irrigation Company, and The Crow's Nest Southern Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL K.

An Act respecting The Hamilton Provident and Loan Society.

Preamble. 1885, c. 30; 1893, c. 85; 1895, c. 85.

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

1. Section 3 of chapter 30 of the statutes of 1885, as amended by section 2 of chapter 85 of the statutes of 1893, is hereby repealed, and the following section is substituted therefor:—

Limitation of money deposits and debentures.

"**3.** The aggregate amount of money deposits, together with the amount of the debentures and debenture stock issued, or to be issued, as hereinafter provided, and remaining unpaid, may be equal to, but shall not at any time exceed, three times the aggregate of the then actually paid in and unimpaired permanent capital and of the then actual reserve fund of the Society; nor shall such aggregate borrowings at any time exceed the amount of principal remaining unpaid on the mortgages and other securities then held by the Society: Provided that the permitted aggregate of such borrowings shall at all times be reduced by the aggregate of the loans or advances, if any, made by the Society to its shareholders on the security of their stock in the Society: Provided further that the amount held by the Society on deposit shall not at any time exceed the aggregate amount of the Society's then actually paid up and unimpaired capital, and of its cash actually on hand or deposited in any chartered bank or banks of Canada, and belonging to the Society: Provided nevertheless that the extent to which the increased borrowing power hereby conferred is exercised by the Society in any year shall bear no greater proportion to the whole additional borrowing power conferred by this Act upon the Society than the amount of the debentures of the Society paid off or renewed during that year bear to the whole present debenture debt of the Society."

Limitation of aggregate borrowings.

Proviso, as to deductions.

Proviso, as to total amount to be held on deposit.

Proviso as to exercise in any year of increased borrowing power.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

K

An Act respecting The Hamilton Provident and Loan Society.

Received and read a first time,

Thursday, 2nd February, 1911.

Second reading,

Tuesday, 7th February, 1911.

Honourable Mr. GIBSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL K.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act respecting The Hamilton Provident and Loan Society.

Preamble. 1885, c. 30; 1893, c. 85; 1895, c. 85.

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

1. Section 3 of chapter 30 of the statutes of 1885, as amended by section 2 of chapter 85 of the statutes of 1893, is hereby repealed, and the following section is substituted therefor:—

Limitation of money deposits and debentures.

"**3.** The aggregate amount of money deposits, together with the amount of the debentures and debenture stock issued, or to be issued, as hereinafter provided, and remaining unpaid, may be equal to, but shall not at any time exceed, the aggregate of four times the then actually paid in and unimpaired permanent capital; nor shall such aggregate borrowings at any time exceed the amount of principal remaining unpaid on the mortgages and other securities then held by the Society: Provided that the permitted aggregate of such borrowings shall at all times be reduced by the aggregate of the loans or advances, if any, made by the Society to its shareholders on the security of their stock in the Society: Provided further that the amount held by the Society on deposit shall not at any time exceed the aggregate amount of the Society's then actually paid up and unimpaired capital, and of its cash actually on hand, or deposited in any chartered bank or banks of Canada, and belonging to the Society.

Limitation of aggregate borrowings.

Proviso, as to deductions.

Proviso, as to total amount to be held on deposit.

2. This Act shall come into force on the first day of December, 1916.

Date of operation.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL L.

An Act respecting The Pacific Northern and Omineca Railway Company.

Preamble.

1902, c. 90; 1904, c. 114; 1906, c. 141.

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

Extension of time for completion.

1902, c. 90, s. 2. 1906, c. 141, ss. 1, 3.

1. The Pacific Northern and Omineca Railway Company may within five years after the passing of this Act, proceed with the construction of and complete and put in operation the lines of railway which it was authorised to construct by chapter 90 of the statutes of 1902, as amended by chapter 141 of the statutes of 1906; and if, within the said period, any one of the said lines of railway is not so completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of that line of railway as then remains uncompleted.

Former time limit repealed.

2. Section 3 of chapter 141 of the statutes of 1906 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

L

An Act respecting The Pacific Northern and Omineca Railway Company.

Received and read a first time,

Thursday, 2nd February, 1911.

Second reading,

Tuesday, 7th February, 1911.

Honourable Mr. BOSTOCK.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL P.

AS PASSED BY THE SENATE 17th FEBRUARY, 1911.

An Act to incorporate The Universal Life 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. Michael J. O'Brien, of the town of Renfrew, in the county of Renfrew, railway contractor, Louis Napoleon Poulin, merchant, William H. McAuliffe, manufacturer, Charles A. McCool gentleman, and A. Eugene Corrigan, insurance agent, all of the city of Ottawa, in the county of Carleton; John J. Seitz, of the city of Toronto, in the county of York, manufacturer; Napoleon Arthur Dussault, of the city of Quebec, in the county of Quebec, physician; Charles J. Doherty, of the city of Montreal, in the district of Hochelaga, gentleman; and John Angus McMillan, of the town of Alexandria, in the county of Glengarry, merchant; together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Universal Life Assurance Company of Canada" hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be one million dollars, which may be increased to two million dollars. Capital. Increase

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

Subscription before commencing business.

5. The Company shall not commence business until three hundred and fifty thousand dollars of the capital stock have been subscribed and seventy thousand dollars paid thereon.

Head office.

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

Business authorized

7. The Company may make contracts of life insurance with any person and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and generally may carry on the business of life insurance in all its branches and forms.

1910, c. 32

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Q.

AS PASSED BY THE SENATE 9th MAY, 1911.

NOTE.—*The clauses and portions of clauses enclosed within square brackets, namely 10, part of 12, subsection 1 of 14, 16 and 17, do not form part of the Bill as passed by the Senate. They are printed in this copy for information only. It is intended to propose their insertion when the Bill is in Committee of the Whole in the House of Commons.*

An Act respecting Grain.

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

1. This Act may be cited as *The Canada Grain Act, 1911.* Short title.

2. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) 'Minister' means the Minister of Trade and Commerce;

(*b*) 'Department' means the Department of Trade and Commerce;

(*c*) 'Board' means the Board of Grain Commissioners for Canada;

(*d*) 'Secretary' means the Secretary of the Board;

(*e*) 'regulations' mean regulations made by the Board under the authority of this Act;

(*f*) 'officer' includes chief inspector, inspector, deputy inspector, chief weighmaster, weighmaster, assistant weighmaster, and the holder of any office created by the Board with the approval of the Governor in Council under this Act;

(*g*) 'chief inspector' means a chief inspector of grain appointed or continued in office under this Act;

(*h*) 'inspector' means an inspector of grain appointed or continued in office under this Act;

(*i*) 'deputy inspector' means a deputy inspector of grain appointed or continued in office under this Act;

(*j*) 'inspecting officer' means the inspector or deputy inspector by whom an inspection is made;

(*k*) 'division' means an inspection division established under this Act;

(*l*) 'district' means an inspection district or sub-division established under this Act;

(*m*) 'grain' means and includes all kinds and varieties of grain, the inspection of which is provided for by this Act;

(*n*) 'western grain' means grain grown in the western inspection division;

(*o*) the expression 'hard Red Fife Wheat' shall mean wheat that is red in colour and of the Red Fife variety;

(*p*) 'operator' or 'lessee' includes any buyer of grain having allotted to him any storage or working-space, or bin or bins in any elevator or warehouse;

(*q*) 'applicant,' referring to an applicant for cars, means any person who owns grain for shipment in car lots, or who is an operator of any elevator;

(*r*) 'agent' or 'railway agent' includes any railway station agent;

(*s*) 'track-buyer' means any person, firm or company who buys grain in car lots on track;

(*t*) 'commission merchant' means any person who sells grain on commission;

(*u*) 'person' means any person, firm or corporation;

(*v*) 'country elevator' includes such as are described in section 151 of this Act;

(*w*) 'public elevator' includes every elevator or warehouse which receives grain for storage from the western inspection division, after such grain has been inspected under this Act;

(*x*) 'eastern elevator' includes every elevator or warehouse at any point in the eastern inspection division used only for the storage of grain grown in that division, after inspection of such grain under this Act, or, if such grain, after being stored in such elevator, is subject to inspection under this Act on delivery out of such elevator;

(*y*) 'terminal elevator' includes every elevator or warehouse which receives or ships grain, and is located at any point declared by the Board to be a terminal;

(*z*) 'hospital elevator' includes every elevator or warehouse situated at a terminal point which is used for the cleaning or other special treatment of rejected or damaged grain and which is equipped with special machinery for that purpose.

Division of Act into parts.

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

Part I comprising sections 3 to 17 inclusive;

Part II comprising sections 18 to 117 inclusive;

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

PART I.

BOARD OF GRAIN COMMISSIONERS FOR CANADA.

3. There shall be a commission to be known as The Board of Grain Commissioners for Canada, which shall consist of three commissioners appointed by the Governor in Council. Board.

2. Each commissioner shall hold office during good behaviour for a period of ten years from the date of his appointment, but he may be removed at any time by the Governor in Council for cause: provided that when a commissioner reaches the age of seventy years his office shall, *ipso facto*, become vacant. Appointment of Commissioner and term of office.

3. A commissioner, upon the expiration of his term of office if under seventy years of age shall be eligible for re-appointment.

4. One of such commissioners shall be appointed by the Governor in Council as chief commissioner of the Board, and he shall be entitled to hold the office of chief commissioner so long as he continues a member of the Board. The chief commissioner, when present, shall preside at the meetings of the Board. Chief Commissioner.

4. There shall be a secretary of the Board, who shall be appointed by the Governor in Council and shall hold office during pleasure. Secretary.

5. No commissioner or the secretary shall directly or indirectly hold any interest in any corporation subject to this Act, nor directly or indirectly deal in or be financially interested in grain, nor hold any interest in any grain elevator or warehouse, or in any partnership, corporation or business engaged in the grain trade, or in the transportation or storage of grain. Commissioners and Secretary not to deal in grain.

2. The commissioners and the secretary shall reside in the city of Fort William or Port Arthur, in the province of Ontario. Residence.

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

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

Duties of Commissioners and Secretary.

6. The commissioners and the secretary shall devote the whole of their time to the performance of their duties under this Act, and shall not accept or hold any other office or employment.

Quarters for the Board, Secretary, etc.

7. The Governor in Council shall, upon the recommendation of the Minister, provide a suitable place in which the sessions of the Board may be held, and also suitable office for the commissioners, secretary and other officers of the Board.

Where the Board may sit.

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

3. The Board may authorize any commissioner to hold any inquiry or make any investigation in any part of Canada.

How Board shall conduct business and quorum.

8. The Board shall sit at such times and conduct its proceedings in such manner as seems to it most convenient for the speedy despatch of business. Two commissioners shall be a quorum. No vacancy in the Board shall impair the right of the remaining commissioners to act.

Appointment of persons with technical knowledge.

9. The Board may, with the approval of the Governor in Council, appoint any person having special or technical knowledge of the subject in question to assist in an advisory capacity in respect of any matter before the Board.

Salaries of Commissioners and Secretary.

[**10.** The chief commissioner shall be paid an annual salary of dollars, and the other two commissioners shall each be paid an annual salary of dollars.

2. The secretary shall be paid an annual salary to be fixed by the Governor in Council.]

Powers of Board.

11. The Board shall have such powers and authority as are prescribed by the various sections of this Act.

Minister to determine how revenue shall be paid.

2. The Minister may determine the manner in which any revenue payable under this Act shall be paid into the Consolidated Revenue Fund of Canada, what books shall be kept and returns made in connection therewith, and what security shall be given by the persons employed in the collection or management of such revenue.

Warehouse receipts.

3. The Board may, with the approval of the Governor in Council, make regulations for and require the registration of terminal warehouse receipts.

Appointments and salaries under the Board.

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

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

Who shall be continued in office.

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

13. Any oath, the taking of which is hereinafter authorized or prescribed by this Act, may be administered by a commissioner or by the secretary.

Authorization of oath.

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

How salaries and expenses of Board shall be paid.

2. All railway or steamship companies shall furnish free transportation upon any trains or steamships for members of the Board and the secretary, and for such officers and staff of the Board as the Board may determine with their baggage and equipment.

Free transportation of Board and staff.

15. The Board shall, within thirty days after the close of each calendar year, make to the Minister a report respecting—

Report to be furnished.

(*a*) all such matters as appear to the Board to be of public interest in connection with the inspection, weighing, storage and transportation of grain; and

(*b*) such matters as the Minister may direct.

[**16.** The Governor in Council may authorize the Minister to construct, acquire, lease, or expropriate for His Majesty any terminal elevator if Parliament has granted the money for such purpose.

Construction or acquiring of terminals.

2. *The Expropriation Act* shall, in all cases, apply to the acquisition or lease of such terminal elevator and to the ascertaining of the compensation to be paid therefor.]

Expropriation Act to apply.

[**17.** Upon the construction, acquisition, leasing or expropriation by His Majesty of any terminal elevator, the Board shall be charged with its operation and management, and the Board may, with the approval of the Governor in Council, make regulations for its management and operation and prescribe a tariff of fees and charges for the use thereof.]

Board to manage and operate terminals.

PART II.

GENERAL.

18. The Board with the approval of the Governor in Council may from time to time establish inspection divisions in Canada, in and for which, respectively, it is expedien to

Inspection divisions and chief inspectors

appoint chief inspectors of grain, change the boundaries of any inspection division and appoint a chief inspector for each such inspection division, or for more than one such division.

Duties.

19. A chief inspector shall have under the Board the general supervision and control of inspectors and deputy inspectors in his division or divisions, and shall perform the duties hereinafter assigned to chief inspectors, or from time to time assigned to them by the Board.

Regulations.

20. The Board may make rules and regulations either with or without the approval of the Governor in Council as hereinafter provided. They may make also, with the consent of the Governor in Council, such further rules and regulations as the Board deem expedient for the government and control of terminal and other elevators, the licensing and bonding of same, and all other matters in the best interests of the grain producers and the Canadian Grain Trade.

Inspection divisions.

21. Subject to changes of boundaries as hereinbefore provided,—

Eastern.

(*a*) the Eastern Inspection Division shall consist of all that portion of Ontario lying east of the city of Port Arthur, and of the provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island; and,

Inspection divisions.

(*b*) the Western Inspection Division shall consist of,—

(i) the provinces of Manitoba, Saskatchewan, Alberta and and British Columbia;

(ii) the Northwest Territories;

(iii) that portion of the province of Ontario lying west of and including the city of Port Arthur.

Subdivisions.

22. The Board with the approval of the Governor in Council may, from time to time, establish inspection districts within any inspection division, and determine, and from time to time vary, the boundaries of such districts.

Local limits.

23. When the division has not been divided into districts or when districts have not been established therein, or when for any reason it is considered expedient so to do, the Minister may appoint inspectors and deputy inspectors, as prescribed by section 12, in and for any division, and in such case the Board may, from time to time, assign to inspectors and deputy inspectors local limits within which they shall perform their duties under this Act.

Qualifications of inspectors.

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

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

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

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

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

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

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

I, A. B., do solemnly swear, that I will faithfully, truly and impartially, to the best of my judgment, skill and understanding, execute and perform the office of chief inspector of grain (*or* inspector of grain, *or* deputy inspector of grain) and that while I continue to be such chief inspector (*or* inspector, *or* deputy inspector), I will not, directly or indirectly, by myself or by any other person or persons, deal or trade in any grain on my account, or upon the account of any other person or persons. So help me God. Oath of inspector.

30. Every chief inspector, inspector and deputy inspector shall, before acting as such, give security for the due performance of the duties of his office, in such sum as the Board directs, Inspectors to give security.

and such security shall avail to the Crown, and to all persons aggrieved by any breach of the conditions thereof.

Vacancy.

31. In the event of the death, resignation, absence or inability to act, dismissal or suspension of any inspector, his senior deputy inspector shall perform all the duties of the inspector until his successor is appointed, or until such absence, inability or suspension ceases.

Grading of grain.

32. Inspecting officers shall grade all grain in accordance with the grades defined in this Act, and samples shall be made under the direction of the chief inspector of each division in accordance with such grades for the purpose of grading and of appeals therefrom to a grain survey board or to the chief inspector under the provisions hereinafter contained.

Samples to be furnished.

33. The chief inspector and the inspectors for the division shall, not later than the first week in October in each year, furnish official standards of grain as established by them under this Act, when requested to do so by any person; and each standard shall be accompanied by a specific statement that it is a sample of the official grade.

Charges therefor.

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

Board of Examiners.

Grain examiners.

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

Oath of office.

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

I, A. B., do swear that I will not, directly or indirectly, personally or by means of any person or persons in my behalf, receive any fee, reward or gratuity whatever by reason of any function of my office of examiner, except such as I am entitled to receive by law, and that I will therein well and truly, in all things, act without partiality, favour or affection, and to the best of may knowledge and understanding. So help me God.

Record of oaths.

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

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

Certificates of qualification.

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

Inspector must hold certificate.

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

Report to Board.

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

Fees for examination.

40. Every board of examiners shall collect from each candidate coming before the board for examination, before such examination is held, a fee not to exceed twenty dollars, such fee to be divided among the members of the said board in such manner as they direct.

Commercial Grades.

Commercial grades established.

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

Grain Standards Board.

Standards established by grain standards board.

42. The Board may appoint, for any division or district, as a grain standards board, such number of fit and skilful persons as it deems necessary, for the purpose of establishing such commercial grades and of choosing samples of such grades to be the standards therefor; and the appointment of such persons by the Board shall be held to be permanent and effective until superseded and replaced by other appointments by the Board for that purpose.

Standards.

2. The persons so appointed shall only select and establish the standards found necessary, to be designated as commercial grade; and in the inspection of all grain other than that subject to be graded as commercial grade, the inspectors shall be governed by the grades established by this Act.

Samples.

43. The chief inspector shall distribute portions of all standard samples so chosen to such persons as the Board from time to time directs, and in the inspection of grain of marked characteristics as aforesaid inspecting officers shall be governed by the samples so chosen.

Special marks.

44. The packages containing the samples so distributed, and the certificates granted by inspecting officers in relation to such grain, shall be marked *Commercial grade*.

Summoning of grain standards board.

45. A grain standards board shall be summoned for the establishment of commercial grades and the selection of samples thereof whenever the chief inspector of the division or three members of the board notify the chairman of the board that such a course is necessary.

Grain Survey Board.

Grain survey board.

46. The Board, on the recommendation of the boards of trade of Toronto and Montreal respectively, may appoint for any eastern division or district a grain survey board composed of such number of fit and skilful persons as is in each case considered necessary.

Powers and duties.

2. Such board shall have the powers and be charged with the duties hereinafter defined and set forth, which powers and duties shall be exercised and performed in accordance with any regulations made by the Board in that behalf.

By-laws.

47. The Board may make by-laws for any grain survey board for the better carrying out of its business and for the establishment of a tariff of fees for survey purposes.

Oath of office.

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

Disputes as to grading of grain.

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

Appeal direct to the board.

2. Notwithstanding anything in this section the owner or possessor of the grain may appeal directly from the inspecting

officer to the said board, whose decision in all cases shall be final and binding on all parties, and the inspecting officer shall issue a certificate accordingly.

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

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

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

51. No inspecting officer shall in any case make the grade of any lot of grain inspected by him above that of the poorest quality found therein, if he is satisfied that the grain has been improperly loaded for the purposes of deception. Grading of grain.

52. No inspecting officer shall inspect grain being laden or about to be laden on vessels or cars after dark or in wet weather except on receipt, personally, or through the office of the chief inspector, of an application from the owner or possessor of the grain or his authorized agent, written upon one of the printed forms furnished by the Board and signed by such owner or his authorized agent, relieving him, the inspecting officer, from responsibility for damage which may be caused by such wet weather, darkness, or for loss arising from errors liable to occur in an inspection under such circumstances. After dark or in wet weather.

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

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

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

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

56. All inspectors and deputy inspectors of grain shall, at all times during ordinary business hours, be at full liberty to Grain in terminal elevators.

examine all grain stored in any public, eastern or terminal elevator; and all proper facilities shall be extended to them by the warehouseman, his agents and servants, for an examination, and all parts of public, eastern or terminal elevators shall be open to examination and inspection by any inspector or deputy inspector.

Sale by sample.

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

Weight of bushel.

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

Barley, forty-eight pounds;
Buckwheat, forty-eight pounds;
Flax-seed, fifty-six pounds;
Indian corn, fifty-six pounds;
Oats, thirty-four pounds;
Peas, sixty pounds;
Rye, fifty-six pounds;
Wheat, sixty pounds.

Fees.

Fees.

59. The fees for the inspection of grain shall be as follows:

Grain in sack, one-third of a cent per cental;
Grain in bulk, per carload, fifty cents;
Grain in cargoes, per one thousand bushels, fifty cents.

Alteration of fees.

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

Advance charges.

Disposal of fees.

61. The inspection and weighing fees upon grain inspected or weighed within any division or district shall be treated as advanced charges, to be paid by the carrier or warehouseman in whose possession the grain is at the time of its inspection or weighing, and, unless otherwise provided, shall be paid through the chief inspector or inspectors to the Board for deposit to the Consolidated Revenue Fund of Canada, and accounts thereof shall be kept in such manner and in such detail as is from time to time determined by the Minister.

Weighmasters.

Appointment of weighmasters.

62. The Minister may appoint in and for each division a chief weighmaster, whose duties and powers shall be defined

by the Board, and may also, in any place where inspection of grain is authorized under this Act, or where is situate any public, eastern or terminal elevator, appoint a weighmaster and such assistants as are necessary.

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

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

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

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

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

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

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

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

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

Rules and regulations.

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

Offences and Penalties.

Interfering with weighmaster.

70. If any owner, lessee or other occupant of any terminal elevator, by himself or by his agent or employee, refuses or prevents a weighmaster or any of his assistants from having access to such elevator or to any scales therein or connected therewith, in the regular performance of their duties in supervising the weighing of grain in accordance with this Act, he shall, upon summary conviction, be liable to a penalty not exceeding one hundred dollars for each offence.

Penalty.

Refusal to inspect.

71. Every inspector or deputy inspector who, on application to him, made personally or by writing, left at his office on any lawful day between sunrise and sunset, by any owner or possessor of grain, neglects or refuses to proceed forthwith to such inspection, if he is not at the time of such application employed in inspecting elsewhere, shall, for every such neglect or refusal, forfeit and pay to the person so applying twenty dollars, over and above all damages occasioned to the person complaining by such neglect or refusal, recoverable upon summary conviction before any one justice of the peace.

Penalty.

Violation of this Act.

72. Every inspector or deputy inspector who,—

(*a*) without authority inspects grain out of the local limits for which he is appointed; or,

(*b*) gives any wilfully false or untrue certificate; or,

(*c*) connives at or is privy to any fraudulent evasion of this Act; or,

(*d*) otherwise violates any provision of this Act;

shall for each offence, on summary conviction before two justices of the peace, be liable to a penalty of one hundred dollars, and shall forfeit his office, and be disqualified from ever after holding the same.

Penalty.

Unauthorized person acting as inspector.

73. Every person, not thereunto duly authorized under this Act, who in any manner whatever assumes the title or office of inspector or deputy inspector, or issues any certificate purporting to establish the quality of any grain shall for every such offence, on summary conviction, be liable to a penalty not exceeding one hundred dollars or to imprisonment for a term not exceeding three months.

Penalty.

Fraudulent use of inspector's certificate.

74. Every person who, with a fraudulent intention, uses an inspector's certificate or bill of inspection in connection with grain other than the grain in connection with which such certificate or bill of inspection was issued, is guilty of an indictable offence and liable to imprisonment for a term not exceeding

three years or to a penalty not exceeding five hundred dollars, or to both. Penalty.

75. Any person who directly or indirectly gives or offers, or promises to give, or procures to be given, any bribe, recompense or award to, or makes any collusive agreement with, any inspector or deputy inspector, or who makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction of any injury or loss upon any inspector or deputy inspector, or upon any other person, in order to improperly influence such inspector or deputy inspector in the performance of his duties under this Act, is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years or to a penalty not exceeding two hundred dollars, or to both. Bribes, threats, violence to influence inspector. Punishment

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

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

Procedure.

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

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

Eastern Inspection Division.

79. The provisions contained in sections 80 to 84, both inclusive, apply only to the Eastern Inspection Division; and Eastern inspection division.

apply to all grain grown in that division, to the exclusion of any provisions of this Act inconsistent with them or dealing with like matters.

Grain shipped from public elevators.

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

Re-inspection.

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

When otherwise shipped.

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

Grain of same grade kept together.

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

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

Certificate for mixed cargo.

Refusal of inspection.

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

Duplicate certificate.

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

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL L.

AS PASSED BY THE SENATE 17th FEBRUARY, 1911.

An Act respecting The Pacific Northern and Omineca 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. 1902, c. 90; 1904, c. 114; 1906, c. 141.

1. The Pacific Northern and Omineca Railway Company may within five years after the passing of this Act, proceed with the construction of and complete and put in operation the lines of railway which it was authorised to construct by chapter 90 of the statutes of 1902, as amended by chapter 141 of the statutes of 1906; and if, within the said period, any one of the said lines of railway is not so completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of that line of railway as then remains uncompleted. Extension of time for completion. 1902, c. 90, s. 2. 1906, c. 141, ss. 1, 3.

2. Section 3 of chapter 141 of the statutes of 1906 is hereby repealed. Former time limit repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL M.

An Act respecting The Quebec, Montreal and Southern Railway Company.

Preamble. 1906, c. 150.

WHEREAS The Quebec, Montreal and 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:—

Extension of time for completion of certain railways.

1. The Quebec, Montreal and Southern Railway Company may complete the construction of the railways authorized by sections 8 and 9 of chapter 150, of the statutes of 1906 and put them in operation within five years after the passing of this Act; and if the said railways are not completed and put in operation within the said period, the powers of construction conferred upon the said Company shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

1906, c. 150, ss. 8, 9.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

M

An Act respecting The Quebec, Montreal and Southern Railway Company.

Received and read a first time

Friday, 3rd February, 1911.

Second reading

Wednesday, 8th February, 1911.

Honourable Mr. Béique.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL M.

AS PASSED BY THE SENATE 17th FEBRUARY, 1911.

An Act respecting The Quebec, Montreal and Southern Railway Company.

WHEREAS The Quebec, Montreal and 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:— Preamble. 1906, c. 150.

1. The Quebec, Montreal and Southern Railway Company may complete the construction of the railways authorized by sections 8 and 9 of chapter 150 of the statutes of 1906, and put them in operation within five years after the passing of this Act; and if the said railways are not completed and put in operation within the said period, the powers of construction conferred upon the said Company shall cease and be null and void as respects so much of the said railways as then remains uncompleted. Extension of time for completion of certain railways. 1906, c. 150, ss. 8, 9

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL N.

An Act respecting the Globe Printing Company.

Preamble. (Can.) 1866, c. 123. (Dom.) 1877, c. 84. (Dom.) 1892, c. 75.

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

Powers of directors to make by-laws. Can., 1866, c. 123, s. 4 and Dom. 1892, c. 75, s. 2 amended. R.S.C., 1906, c. 79, ss. 131, 132.

1. Section 4 of the Act incorporating the Globe Printing Company, chapter 123 of the statutes of the former Province of Canada passed in the year 1866, as amended by section 2 of chapter 75 of the statutes of 1892, is hereby further amended by adding thereto the following subsection:—

"2. The directors shall have, in addition to the foregoing powers, all powers conferred upon directors of companies by sections 131 and 132 of *The Companies Act*, chapter 79 of *The Revised Statutes of Canada, 1906*."

Can., 1866, c. 123, s. 11, and Dom., 1892, c. 75, s. 4 amended. Annual general meeting. Financial statement.

2. Section 11 of the said incorporating Act as amended by section 4 of chapter 75 of the statutes of 1892, is hereby repealed and the following is enacted in lieu thereof:—

"**11.** The annual general meeting of the Company shall be held on such day in each year as the directors may determine; and at such meeting a full and detailed statement of the financial affairs of the Company up to the end of the preceeding financial year shall be submitted to the stockholders, and shall appear in the books of the Company and be open for inspection by the shareholders."

1877, c. 84 amended. New ss. 2, 3.

3. Sections 2 and 3 of chapter 84 of the statutes of 1877 are hereby repealed and the following sections are enacted in lieu thereof:—

Increase of capital stock.

"**2.** The directors of the Company may make from time to time by-laws for increasing the capital stock of the Company to any amount which they consider requisite for the due carrying out of the objects of the Company.

Subdivision of shares.

"2. The directors of the Company may also at any time make a by-law subdividing the existing shares into shares of a smaller amount.

Approval by shareholders.

"3. No by-law for increasing the capital stock of the Company, or for subdividing the shares, shall have any force or effect whatsoever, until it has been approved by the votes of shareholders representing at least two-thirds in value of the subscribed stock of the Company at a special general meeting of the Company duly called for considering the same.

Contents of by-law.

"**3.** Every such by-law for increasing the capital stock of the Company shall declare the number of the shares of the new stock and may prescribe the manner in which the same shall be allotted.

Allotment of shares.

"2. In default of the manner of the allotment of the shares of the new stock being prescribed by any such by-law the control of such allotment shall vest absolutely in the directors."

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

N

An Act respecting the Globe Printing Company.

Received and read a first time

Friday, 3rd February, 1911.

Second reading

Wednesday, 8th February, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
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1910-11

THE SENATE OF CANADA.

BILL N.

AS PASSED BY THE SENATE 16th FEBRUARY, 1911.

An Act respecting the Globe Printing Company.

Preamble. (Can.) 1866, c. 123. (Dom.) 1877, c. 84. (Dom.) 1892, c. 75.

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

Powers of directors to make by-laws. Can., 1866, c. 123, s. 4 and Dom. 1892, c. 75, s. 2 amended. R.S.C., 1906, c. 79, ss. 131, 132.

1. Section 4 of the Act incorporating the Globe Printing Company, chapter 123 of the statutes of the former Province of Canada passed in the year 1866, as amended by section 2 of chapter 75 of the statutes of 1892, is hereby further amended by adding thereto the following subsection:—

"2. The directors shall have, in addition to the foregoing powers, all powers conferred upon directors of companies by sections 131 and 132 of *The Companies Act*, chapter 79 of *The Revised Statutes of Canada, 1906*."

Can., 1866, c. 123, s. 11, and Dom., 1892, c. 75, s. 4 amended. Annual general meeting. Financial statement.

2. Section 11 of the said incorporating Act as amended by section 4 of chapter 75 of the statutes of 1892, is hereby repealed and the following is enacted in lieu thereof:—

"**11.** The annual general meeting of the Company shall be held on such day in each year as the directors may determine; and at such meeting a full and detailed statement of the financial affairs of the Company up to the end of the preceeding financial year shall be submitted to the stockholders, and shall appear in the books of the Company and be open for inspection by the shareholders."

1877, c. 84 amended. New ss. 2, 3. Increase of capital stock.

3. Sections 2 and 3 of chapter 84 of the statutes of 1877 are hereby repealed and the following sections are enacted in lieu thereof:—

"**2.** The directors of the Company may make from time to time by-laws for increasing the capital stock of the Company to

any amount which they consider requisite for the due carrying out of the objects of the Company.

Subdivision of shares.

"2. The directors of the Company may also at any time make a by-law subdividing the existing shares into shares of a smaller amount.

Approval by shareholders.

"3. No by-law for increasing the capital stock of the Company, or for subdividing the shares, shall have any force or effect whatsoever, until it has been approved by the votes of shareholders representing at least two-thirds in value of the subscribed stock of the Company at a special general meeting of the Company duly called for considering the same.

Contents of by-law.

"**3.** Every such by-law for increasing the capital stock of the Company shall declare the number of the shares of the new stock and may prescribe the manner in which the same shall be allotted.

Allotment of shares.

"2. In default of the manner of the allotment of the shares of the new stock being prescribed by any such by-law the control of such allotment shall vest absolutely in the directors."

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O.

An Act respecting The Western Alberta Railway Company.

Preamble.
1898, c. 90.
1900, c. 85.
1903, c. 200.
1905, c. 176.
1908, c. 170.

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

Declaration.

1. The undertakings of the Company are hereby declared to be works for the general advantage of Canada.

Time for construction of railway extended.

1908, c. 170, s. 1 amended.

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

Repeal of former time limit.

3. Section 1 of chapter 170 of the statutes of 1908 is hereby repealed.

Agreements with other companies.
R.S., 1906, c. 37.

4. Subject to the provisions or sections 361, 362 and 363 of *The Railway Act* the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies: The Canadian Pacific Railway Company, The Grand Trunk Pacific Railway Company, The Canadian Northern Railway Company, The Grand Trunk Pacific Branch Lines Railway Company, and The Alberta Central Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA

BILL

O

An Act respecting The Western Alberta Railway Company.

Received and read a first time

Tuesday, 7th February, 1911.

Second reading

Thursday, 9th February, 1911.

Honourable Mr. De Veber.

OTTAWA
Printed by C. H. Parmelee
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O.

AS PASSED BY THE SENATE 24th FEBRUARY, 1911.

An Act respecting The Western Alberta Railway Company.

Preamble. 1898, c. 90. 1900, c. 85. 1903, c. 200. 1905, c. 176. 1908, c. 170.

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

Time for construction of railway extended. 1908, c. 17, s. 1 amended.

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

Repeal of former time limit.

2. Section 1 of chapter 170 of the statutes of 1908 is hereby repealed.

Agreements with other companies. R.S., 1906, c. 37.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies: The Canadian Pacific Railway Company, The Grand Trunk Pacific Railway Company, The Canadian Northern Railway Company, The Grand Trunk Pacific Branch Lines Railway Company, and The Alberta Central Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O.

(Reprinted as amended and reported by the Railway Committee of the House of Commons. The amendments are printed between brackets.)

An Act respecting The Western Alberta Railway Company.

Preamble. 1898, c. 90. 1900, c. 85. 1903, c. 200. 1905, c. 176. 1908, c. 170.

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

Time for construction of railway extended. 1908, c. 17[illegible] s. 1 amended.

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

Repeal of former time limit.

2. Section 1 of chapter 170 of the statutes of 1908 is hereby repealed.

Agreements with other companies. R.S., 1906, c. 37.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies: The Canadian Pacific Railway Company, The Grand Trunk Pacific Railway Company, The Canadian Northern Railway Company, The Grand Trunk Pacific Branch Lines Company, and The Alberta Central Railway Company.

1898, c. 90 amended.

[**4.** Section 4 of chapter 90 of the statutes of 1898 as amended by section 2 of chapter 200 of the statutes of 1903 is further amended by adding the following subsection thereto:—

Line of railway described.

"2. The said line of railway shall pass at or near Cardston, Pincher Creek, Cowley, Millarville and Priddis."]

1898, c. 90 amended.

[**5.** Sections 5, 6, 7, 8 and 16 of chapter 90 of the statutes of 1898 are hereby repealed.]

Special powers.

Vessels.

Docks.

[**6.** The Company may, for the purposes of its undertaking, construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and construct, acquire, and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith.]

Consent of municipalities.

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

Transmission and delivery of power and electricity.

Approval by Railway Commission.

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

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

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

Telegraph and telephone lines.

[**10.** The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone

lines upon its railway, and establish offices for, and undertake the transmission of messages for the public, and collect tolls therefor; and for the purpose of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies. R.S., c. 37.

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

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

[**11.** In addition to the securities authorized by section 15 of the said chapter 90 of the statutes of 1898, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate, and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.] Issue of securities for purposes other than railway. Limitation.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL P.

An Act to incorporate The Universal Life 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. Michael J. O'Brien, of the town of Renfrew, in the county of Renfrew, railway contractor; Louis Napoleon Poulin, merchant, William H. McAuliffe, manufacturer, Charles A. McCool gentleman, and A. Eugene Corrigan, insurance agent, all of the city of Ottawa, in the county of Carleton; John J. Seitz, of the city of Toronto, in the county of York, manufacturer; Napoleon Arthur Dussault, of the city of Quebec, in the county of Quebec, physician; Charles J. Doherty, of the city of Montreal, in the district of Hochelaga, gentleman; and John Angus McMillan, of the town of Alexandria, in the county of Glengarry, merchant; together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Universal Life Assurance Company of Canada" hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be one million dollars, which may be increased to two million dollars. Capital. Increase.

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

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

Head office.

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

Business authorized.

7. The Company may make contracts of life insurance with any person and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and generally may carry on the business of life insurance in all its branches and forms.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

P

An Act to incorporate The Universal Life Assurance Company of Canada.

Received and read a first time

Tuesday, 7th February, 1911.

Second reading

Thursday, 9th February, 1911.

Honourable Mr. Coffey.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

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

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

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

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

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

89. The chief inspector and the inspectors for the division shall, not later than the first day of October in each year, furnish official samples of grain as established by them under this Act requested to do so by any person, such sample to be accompanied by a specific statement that it is a sample of the official grade. Furnishing samples.

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

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

Inspection east of Winnipeg.

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

Grain to be inspected in Winnipeg district.

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

Inspection at Winnipeg.

2. Grain which is shipped from points west of Winnipeg to Winnipeg for orders, as provided in section 208 of this Act, and which goes forward without delivery in Winnipeg, shall be inspected at Winnipeg and the certificate of inspection shall be issued at the end of the period of detention: Provided, however, that on the written order of the agent of the shipper a car of grain held at Winnipeg shall be inspected on its arrival and the certificate of inspection issued.

Drawing of sample.

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

Exception from foregoing.

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

Re-inspection at Fort William.

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

Re-inspection at terminal elevators

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

Notice to be given of arrival of grain.

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

Grain shipped as graded into elevators.

92. Except as provided by section 124 in the case of hospital elevators, all grain shipped for eastern points from any terminal or public elevator within the division shall be shipped only as

graded into such elevators by the inspecting officers: Provided that when grain has deteriorated or changed condition in storage, the inspecting officer shall issue only a certificate in accordance with the facts. Proviso.

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

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

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

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

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

3. No grain shall be transferred from one bin to another in a terminal elevator without the supervision of the proper inspecting officer, who shall record such transfer in proper books Transfer from one bin to another.

4. No grain shall be specially binned for any person, firm or corporation in any terminal elevator except in cases where it is found to be out of condition on arrival at such terminal elevator, and in cases where it has gone out of condition while in store as provided in sections 140 to 144 of this Act, and except as provided in section 229 of this Act. Special binning forbidden. Exceptions. R.S., c. 83,

5. All grain marked by the inspecting officer for cleaning shall be cleaned under his supervision, and the inspector may condemn any cleaning machine which in his opinion is not doing satisfactory work and may order machines installed which will satisfactorily clean such grain to its proper grade; and he shall also have the power, where he finds the cleaning facilities inadequate, to Powers of inspector as to cleaning.

order the installation of such additional machines as will meet the requirements.

Cleaning by owner.

6. Where grain rejected for dirt is ordered to be cleaned by the owner the cleaning shall be subject to the provisions of the inspecting officer.

Stock taking

7. In the month of August in each year stock shall be taken of the quantity of each grade of grain in the terminal elevators, and at any time that the Board deems it advisable, it may order an additional weigh-up or stocktaking, in any terminal elevator.

Regulations as to binning and cleaning.

96. The Board may make such rules and regulations as are necessary for the control of the binning and cleaning of all grain stored in terminal elevators, including the transferring of grain from one bin to another and the delivery of grain from the bins into cars, vessels or other receptacles.

Certificate to accompany grain.

97. The certificates of inspection given by inspecting officers shall in all cases accompany the grain to its destination.

East of Western division.

98. No certificate shall be issued east of the Western Inspection Division for western grain, whether such grain goes forward in bulk or in cars.

If grain suspected be out of condition.

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

Identification of grain.

3. The Board shall issue such rules and regulations governing the inspection and outward shipments of grain from any elevator under their control as will satisfactorily identify the inspection certificates with the lake bill or the railway shipping bill and the lot or parcel of grain covered by such certificate.

Systematic reduction of quality.

99. When grain shipped from any elevator is being systematically reduced in quality below the general average quality of the grain of similar grades in the bins of the terminal elevators, the chief inspector shall instruct inspecting officers that no such grain shall be allowed to pass inspection except on a lower grade.

Investigation by chief inspector.

2. The inspectors shall at all times keep careful watch on grain received into terminal elevators, and, if they find any such grain as aforesaid being received, shall at once notify the chief inspector, who shall make an investigation forthwith and take action accordingly.

Disputes as to grading.

100. Whenever, in a division or district from which a grain survey board has been appointed, the owner or possessor of

any grain inspected therein is not satisfied with the inspecting officer's grading of such grain, he may appeal therefrom to the chief inspector, who shall view a proper sample of the grain respecting which the grading is in dispute, drawn or secured in a manner satisfactory to him, and give his decision thereon, which shall be final unless the owner or possessor, within twenty-four hours after receiving the notification thereof, makes further appeal to the grain survey board for the division or district, in which case the said Board shall give a final decision to settle the grading of the grain in dispute; but nothing in this section shall prevent the owner or possessor of the said grain appealing directly from the inspecting officer to the said Board, whose decision in all cases shall be final and binding on all parties, and the inspecting officer shall issue a certificate accordingly.

Fresh sample may be required.

If the owner or possessor so desires he may call for a fresh sample to be drawn by the inspector for use on re-inspection or survey, the expense thereof to be borne by the applicant, and in case it be drawn for the purpose of survey it shall be sent to the secretary of the survey board.

Proviso.

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

Cost of appeal.

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

Grain survey board.

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

Regulations.

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

Oath.

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

By-laws.

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

Offices in Winnipeg.

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

Unclean grain.

104. In the case of unclean grain inspected in the Western Inspection Division, the inspector shall state in his certificate the percentage of dirt necessary to be removed in order to clean the grain to the grade certified.

2. If the grain is found to be excessively dirty and it is impracticable for the inspector when grading such grain in cars to ascertain the percentage of dirt, the inspector, from the sample taken when the cars are being unloaded, shall ascertain and state the percentage of dirt and seeds necessary to clean such grain to grade.

3. In such case, if the dockage contains a proportion of domestic grain, that proportion shall be marked on the certificate.

GRADES GENERALLY.

Qualities of grain.

105. The grades of grain shall be as follows:—

Spring Wheat.

Spring wheat.

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

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

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

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

Goose Wheat.

Goose wheat.

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

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

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

Winter Wheat.

Winter wheat.

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

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

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

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

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

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

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

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

Corn.

Corn.

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

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

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

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

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

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

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

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

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

Oats.

Oats.

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

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

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

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

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

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

White clipped oats.—The grades of Nos. 1, 2, 3 and 4 white clipped oats shall correspond in all respects with the grades of Nos. 1, 2, 3 and 4 white oats, except that the former shall weigh not less than 38, 36 and 34 pounds to the bushel, respectively.

Rye.

Rye.

No. 1 rye shall be sound, clean and shall weigh not less than 58 pounds to the bushel.

No. 2 rye shall be sound, reasonably clean, and reasonably free from other grain, and shall weigh not less than 56 pounds to the bushel.

No. 3 rye shall be sound, but not clean enough to be graded No. 2, and shall weigh not less than 55 pounds to the bushel.

Rejected rye shall include such as is unsound, musty, dirty or from any other cause unfit to be graded No. 3.

Barley.

Barley.

No. 1 barley shall be plump, bright, sound, clean and free from other grain.

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

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

No. 3 barley shall include shrunken barley, wighing not less than 45 pounds to the bushel.

No. 4 barley shall include all barley equal to No. 3 weighing not less than 44 pounds to the bushel.

Peas.

Peas.

No. 1 peas shall be white, clean, sound, not worm eaten, and free from bugs.

No. 2 peas shall be reasonably clean and sound, and reasonalby free from worm-eaten and buggy peas.

No. 3 peas shall be such as are too dirty to be graded No. 2, or are worm eaten or buggy.

The grades of 1, 2 and 3 marrowfat peas shall correspond in all respects with the preceding grades Nos. 1, 2 and 3, except that the former shall be of the white-eyed and black-eyed varieties.

Mixed peas shall be sound and may contain a variety of peas not elsewhere classified.

Buckwheat.

Buckwheat.

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

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

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

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

106. 'No established grade' shall include all grain not classified in the foregoing. No established grade.

GRADES IN WESTERN INSPECTION DIVISION.

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

Spring Wheat.

Spring wheat.

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

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

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

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

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

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

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

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

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

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

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

Winter Wheat.

Winter wheat.

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

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

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

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

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

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

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

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

Oats.

Oats.

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

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

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

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

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

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

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

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

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

Barley.

Barley.

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

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

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

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

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

Rye.

Rye.

No. 1 Manitoba rye shall be sound, plump and well cleaned.

No. 2 Manitoba rye shall be sound, reasonably clean and reasonably free from other grain.

All rye which is from any cause unfit to be graded as No. 2 rye, shall be graded as rejected.

Flax Seed.

Flax seed

No. 1 Northwestern Manitoba flax seed shall be mature, sound, dry and sweet, and contain no more than twelve and a half per centum of damaged seed, and weigh not less than 53 pounds to the bushel of commercially pure seed.

No. 1 Manitoba flax seed shall be mature, sound, dry and sweet, and contain not more than twenty-five per centum of damaged seed, and weigh not less than 52 pounds to the bushel of commercially pure seed.

All flax seed which is immature or musty or which contains more than twenty-five per centum damaged seed, and is fit for warehousing and testing not less than 49 pounds to the bushel of commercially pure seed, shall be graded as rejected.

Flax seed that is damp, warm, mouldy, musty or otherwise unfit for warehousing, shall be classed as no grade.

To test flax seed, one pound of average seed shall be taken from the sample tested, and the impurities or foreign matter therein shall be removed as near as possible by the use of two sieves of 32-gauge wire-cloth, one with meshes 3 x 16 and the other with meshes 16 x 16 to the square inch. The percentage of impurities and weight per bushel of the commercially pure seed shall be determined by the use of proper testing scales.

UNITED STATES GRAIN.

Inspection of U. S. grain.

108. Inspecting officers shall, when required, inspect grain of United States production passing through Canada in transit to the United Kingdom or to a foreign country, and shall grant certificates therefor based on standard samples of such grain established as hereinafter provided.

U.S. corn.

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

Standard samples.

110. Standard samples for grain of United States production may be established yearly by the grain survey board of any

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

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

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

4. Standard samples, as so established, shall be distribu ed by the grain survey board to such persons as the Board from time to time directs. Distribution.

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

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

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

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

114. The provisions of the three next following sections shall apply to such grain.

ALL GRAIN.

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

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

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

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

5. No grain that has been subject to scouring or treatment by use of lime or sulphur shall be graded higher than No. 3. Scoured grain.

Weight.

116. In the inspection of grain the weight shall not alone determine the grade.

Inspector's reasons.

117. All inspecting officers shall make their reasons for grading grain, when necessary, fully known by notation on their book.

PART III.

Application of Act.

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

Duties of Board.

119. The Board shall—

(*a*) require all track-buyers and owners and operators of elevators, warehouses and mills, and all grain commission merchants to take out annual licenses.

(*b*) fix the amount of bonds to be given by the different owners and operators of elevators, mills and flat warehouses, and by grain commission merchants and track buyers;

(*c*) require the person so licensed to keep books in form approved by the Board.

(*d*) supervise the handling and storage of grain, in and out of elevators, warehouses and cars;

(*e*) enforce rules and regulations made under this Act.

Receipt and investigation of complaints.

120. The Board shall also receive and investigate all complaints in writing, under oath,—

(*a*) of undue dockage, improper weights or grading;

(*b*) of refusal or neglect to furnish cars within a reasonable time;

(*c*) of fraud or oppression by any person, firm or corporation, owning or operating any elevator, warehouse, mill or railroad, or by any grain commission merchant, or track-buyer.

Remedy.

2. The Board shall also apply such remedy as is provided by statute, and shall institute prosecutions at the Government expense whenever it considers a case proper therefor.

Papers to be kept on file.

3. The Board shall keep on file for public inspection in its office, publications showing the market price of grain in the markets of Liverpool, London, Glasgow, Winnipeg, Fort William, Toronto, Montreal, New York, Chicago, Minneapolis and Duluth.

Interpretation.

121. In the following sections of this Act, from section 122 to section 149, both inclusive, unless the context otherwise requires, and in sections 229 and 236,—

(*a*) 'terminal elevator' includes a public elevator in the Eastern Inspection Division;

(*b*) 'terminal warehouseman' includes a warehouseman of a public elevator in the Eastern Inspection Division.

Terminal and Public Elevators.

Licenses for terminal elevators.

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

Application therefor.

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

What license shall authorize.

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

Revocable.

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

Fee.

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

Buying and selling of grain by owners, etc., of public or terminal elevators.

123. No person owning, managing, operating or otherwise interested in any public or terminal elevator shall buy or sell grain at any point in the Western Inspection Division.

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

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

(2) which is used or operated in connection with any flour mill situate at the same terminal point as such elevator.

Provided, however, that such elevator shall be subject to such restrictions and regulations as are from time to time imposed by the Board, with the approval of the Governor in Council.

Hospital elevators.

124. There may be such number of hospital elevators as may be determined from time to time by the Board. Such

elevators shall be situate only at a terminal point, and shall be governed by such regulations and restrictions as are imposed by the Board.

License.

2. Any such elevator shall be required to take out a license and furnish a bond in such amount as the Board shall determine.

Grading of grain shipped therefrom.

3. Notwithstanding anything to the contrary contained in this Act, but subject nevertheless to the provisions of subsection 5 of section 115, grain which is being shipped out from a hospital elevator shall, at the request of the owner or possessor thereof, or of his authorized agent, be inspected and graded and the grade so arrived at shall be the grade thereof.

Security by licensee.

125. The person receiving a license as herein provided shall file with the Board a bond to His Majesty, with good and sufficient sureties, to be approved by the Board, in the penal sum of not less than ten thousand nor more than fifty thousand dollars, in the discretion of the Board, for each terminal elevator licensed by him, conditioned for the faithful performance of his duties as a terminal warehouseman and his full and unreserved compliance with all laws in relation thereto: Provided that when any person procures a license for more than one elevator, no more than one bond need be given, the amount of which shall not exceed the above maximum.

No discrimination

126. No discrimination shall be made between persons desiring to avail themselves of warehouse facilities.

What grain to be received in Western Inspection Division.

2. Every terminal elevator warehouseman in the Western Inspection Division shall receive for storage any grain tendered to him in a dry and suitable condition for warehousing, in the usual manner in which terminal elevators are accustomed to receive grain in the ordinary and usual course of business.

Inspection and grading thereof.

3. Grain so received shall in all cases be inspected and graded by a duly authorized inspector and shall be stored with grain of a similar grade.

Official weighing.

4. No grain shall leave a terminal point without being officially weighed, unless the owner or his agent orders otherwise.

What grain to be received by public elevators.

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

Record to be kept

6. Every warehouseman of a public elevator in the Eastern Inspection Division shall keep a true and correct record of each parcel or lot of grain received by him, noting the name of the boat and number of the hold from which taken, or the number of the car, the billed weight, the actual weight as weighed in by him and shortage or overage, the number of the bin in which stored, and in case of a transfer in the elevator the number of

the bin to which transferred, the date of shipment out of such elevator with the number of car or name of boat and number of hold; and in all cases where a certificate of grade accompanies a lot or parcel of grain the identity of such certificate with the lot or parcel of grain shall be preserved. He shall keep a correct record of the name of the shipper, the party to be advised of the shipment and the consignee.

Preservation of identity of grain.

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

Grades not to be mixed.

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

Duty to clean grain.

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

Allowance for screenings.

10. Every terminal warehouseman in the Western Inspection Division shall pay or make allowance to the owner for all domestic grain of a commercial value in screenings on all cars graded by the inspector clean to clean for domestic grain, as set forth in section 104 of this Act, to the quantity assessed by the inspector.

Insurance of grain.

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

Warehouse receipts.

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

(*a*) the date of the receipt of the grain in store and also the quantity and inspected grade of the grain;

(*b*) that the grain mentioned in it has been received into store to be stored with grain of the same grade by inspection;

(*c*) that the grain is deliverable upon the return of the receipt properly endorsed by the person to whose order it was issued, and upon payment of proper charges for storage and transportation, if any due to the owner of the elevator.

Numbering of receipts.

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

What they shall state.

2. Warehouse receipts shall state,—

(*a*) for grain received from railway cars, the number of each car and the quantity therein contained;

(*b*) for grain received from barges or other vessels, the name of each craft; and,

(*c*) for grain received from team or by other means, the manner of its receipt.

Receipt to state quantity

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

Number of receipts.

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

Cancellation of receipts upon delivery of grain.

129. Upon the delivery of grain from store in any terminal elevator upon the receipt surrendered, such receipt shall be plainly marked across its face with the word *Cancelled*, and with the name of the person cancelling it, and shall thereafter be void.

Issue of new receipt when delivery partial.

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

Consolidation of receipts.

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

Within 10

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

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

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

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

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

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

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

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

136. The warehouseman of every terminal elevator shall, as directed by the Board, render a weekly statement to the Board Weekly statement of grain in store.

of the quantity of each kind and grade of grain in store in his warehouse and of the total amount of fire insurance thereon.

Statutory declaration.

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

Annual statement of rates for storage.

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

No discrimination as to rates.

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

No discrimination by warehousemen.

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

Maximum rates.

139. The charge for storage, cleaning, handling and fire insurance of grain including the cost of receiving and delivering, shall be subject to such regulations or reduction as the Board from time to time deems proper.

Grain of equal quality to be delivered by warehouseman.

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

Proceedings when grain deteriorates.

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

To whom notice is to be given.

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

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

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

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

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

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

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

(i) Winnipeg;

(ii) the place where the elevator is situated, if there be such a newspaper there;

(iii) and, as regards grain in a public elevator in the Eastern Inspection Division, also in Toronto and in Montreal.

6. The notice by registered letter and the public notice shall state the following particulars:— Particulars of notice.

(*a*) the actual condition of the grain as nearly as can be ascertained; Condition.

(*b*) the quantity, kind and grade of the grain; Quality, etc.

(*c*) the elevator in which the grain is stored; Elevator.

(*d*) the outstanding warehouse receipts, if any, upon which the grain will be delivered, stating the number and date of each receipt and, except as to grain previously declared or receipted for as being out of condition, the quantity, kind and grade of the grain covered by each receipt; or, Warehouse receipts.

(*e*) if warehouse receipts have not been issued, then— When no warehouse receipts.

(i) the name of the person for whom the grain was stored;

(ii) the date when the grain was received;

(iii) the identification of the grain, which shall embrace as nearly as may be as great a quantity as is contained in the bin in which the grain is stored;

(iv) as regards grain in a public elevator in the Eastern Inspection Division, the particulars of the bills of lading or railway shipping receipts. Contents of telegram.

7. The telegram of advice shall state at least the particulars mentioned in paragraphs (*a*), (*b*) and (*c*) of subsection 6 of this section, and that a letter has been mailed giving further particulars.

142. Upon request of the owner or other person entitled to delivery of the grain so found to be out of condition, and upon Delivery of deteriorated grain.

the return and cancellation of the warehouse receipts therefor, or the surrender of the original shipping receipts or bills of lading, duly endorsed, and upon payment of charges, the grain shall be delivered to the party entitled thereto.

Proper care by warehouseman.

143. Nothing herein contained shall be held to relieve a terminal warehouseman from exercising proper care and vigilance in preserving the grain after such publication of its condition, but such grain shall be kept separate, and apart from all direct contact with other grain, and shall not be mixed with other grain while in store in such elevator.

Power to warehouseman to sell deteriorated grain.

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

Owner liable for deficiency of proceeds.

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

Notice of sale.

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

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

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

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

Transfer of grain out of condition to another elevator.

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

Delivery of special binned grain.

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

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

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

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

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

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

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

COUNTRY ELEVATORS AND LOADING PLATFORMS.

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

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

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

Application for license.

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

(*a*) the location of such elevator;

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

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

Expiry and effect of license.

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

Submission to this Act.

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

Fee.

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

Revocation of license.

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

Security by licensee.

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

Rules and regulations.

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

Binding.

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

To be posted up.

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

157. The person operating any such country elevator shall,— Duties of warehouseman.

(*a*) receive the grades of grain established and described in Part II of this Act;

(*b*) upon the request of any person delivering grain for storage or shipment, receive such grain without discrimination as to persons, during reasonable and proper business hours;

(*c*) insure the grain so received against loss by fire while so stored;

(*d*) keep a true and correct account in writing, in proper books, of all grain received, stored and shipped at such country elevator, stating, except as hereinafter provided, the weight, grade, and dockage for dirt or other cause, of each lot of grain received in store, for sale, storage or shipment; and,

(*e*) at the time of delivery of any grain at such country elevator, issue, in the form prescribed by the schedule to this Act, to the person delivering the grain either a cash purchase ticket, warehouse storage receipt, or storage receipt for special binned grain, dated the day the grain was received, for each individual load lot or parcel of grain delivered at such country elevator. Duties of warehouseman.

158. It shall be the duty of the owner, lessee or manager of every country elevator equipped with grain cleaners to clean the grain before it is weighed, when so requested to do. Duty as to cleaning of grain.

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

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

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

(*a*) the gross and net weight of such grain;

(*b*) the dockage for dirt or other cause;

(*c*) the grade of such grain when graded conformably to the grade fixed by law and in force at terminal points; and

(*d*) that the grain mentioned in such receipt has been received into store. What to be stated therein.

2. Such receipt shall also state upon its face that the grain mentioned therein has been received into store, and that upon the return of such receipt, and upon payment or tender of payment of all lawful charges for receiving, storing, insuring, delivering or otherwise handling such grain, which may accrue up to the time of the return of the receipt, the grain is deliverable to the person on whose account it has been taken into Idem.

store, or to his order, from the country elevator where it was received for storage, or, if either party so desires, in quantities not less than carload lots, on track at any terminal elevator in the Western Inspection Division, on the line of railway upon which the receiving country elevator is situate, or any line connecting therewith, so soon as the transportation company delivers the same at such terminal, and the certificate of grade and weight is returned.

Delivery at Duluth.

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

Saving

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

Delivery of grain on return of receipt.

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

Cars to be promptly called for.

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

Grain to be shipped within 24 hours after demand.

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

Provision for failure to redeem cash purchase ticket.

4. In every case where grain has been delivered at any country elevator, and a cash purchase ticket issued therefor to the person from whom such grain was received by the warehouseman, and should his paying agent within twenty-four hours after demand by the holder, provided such demand be made during twenty-four hours after the issue of the purchase ticket, neglect or refuse to redeem such cash purchase ticket, the said holder may at once, upon surrender of such cash ticket, demand in exchange therefor a warehouse storage receipt bearing same date and place of issue, and for similar grade and net weight of grain as was shown on the cash purchase ticket aforesaid. Upon return of the said cash purchase ticket to the warehouseman, he shall at once issue in exchange therefor to the

holder a warehouse storage receipt of same grade and quantity of grain as shown on the face of said surrendered cash purchase ticket.

Forwarding of grain to terminal elevator.

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

Certificate.

(*a*) the date and place of its issue;

(*b*) the name of the consignor and consignee;

(*c*) the place of destination;

(*d*) the kind of grain and the grade and net quantity, exclusive of dockage, to which the owner is entitled by his original warehouse receipts, and by official inspection and weighing at the designated terminal point.

Return of certificate.

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

Charges.

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

Ordering cars to elevator.

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

Grain in special bin.

In the case only of grain in special bin, should the storage receipts and lawful charges against the grain not be delivered or paid at the time of the billing of the car, the elevator operator may hold the bill of lading until the owner has surrendered the storage receipts therefor and paid all lawful storage charges due thereon: Provided that it shall be an offence under this Part for the elevator operator to sell or dispose of such bill of lading without the consent of the owner of the grain, and the bill of lading shall be made out in all cases in the name of the owner of the grain shipped.

Proviso.

Time limit for shipment.

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

Saving.

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

Liability of elevator in case of delay.

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

Forwarding of grain to terminal elevator.

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

Notice of forwarding to owner.

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

Grain delivered subject to freight and other charges.

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

Delivery in full.

2. The party delivering shall be liable for the delivery of such grain as will, on weighing at the terminal point, conform to the grade according to the certificate of inspection provided by this Act and as nearly as possible to the weight mentioned in the receipt therefor.

Warehouse receipts and certificates.

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

No warehouse receipt except for grain actually delivered.

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

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

4. Except in the case of accidental damage to, or the accidental destruction of, any country elevator in which grain has been accepted for general storage as herein provided, if the person operating it, when called upon to do so by the owner of the grain, fails to account for the grain in accordance with the terms of the warehouse receipt given under the provisions of this Part or of the further orders of the owners, he shall be deemed guilty of an offence under section 355 of *The Criminal Code*, 1906, and shall be liable to the penalties therein provided and, in addition, to the forfeiture of his license. Grain to be accounted for. Penalty.

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

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

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

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

168. In the case of the allotting of a special bin or bin by the owner or operator of any country elevator to any buyer of grain, the said buyer may, by agreement with such owner Insurance in such case.

or operator, dispense with insurance by the owner or opera or of the buyer's grain while in such bins.

Special bin only for time and purpose allowed.

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

If grain is out of condition.

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

Notice to the Board and owner.

2. Such notice shall when possible state,—

(*a*) the kind and grade of the grain and the bin in which it is stored;

(*b*) the receipts outstanding upon which the grain is to be delivered, giving the numbers, amounts and dates of each;

(*c*) the name of the party for whom the grain was stored;

(*d*) the amount of grain stored and the date of its receipt.

Notice to be posted up.

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

Delivery.

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

Sale of such grain at public auction.

5. In case the grain out of condition is not removed from store by the owner thereof within ten days from the date of the notice of its being out of condition, the warehouseman where the grain is stored may sell such grain at public auction for the account of the owner after,—

Notice.

(*a*) giving ten days' notice by advertisement in a newspaper published in the place where such elevator is located, or, if no newspaper is published there, then in the newspaper published nearest to such place;

(*b*) posting up such notice in a conspicuous place in his elevator for the ten days immediately preceding the sale; and,

(*c*) ten days from the mailing of notice of the time and place of the sale to the owner by registered letter.

Warehouseman liable for neglect.

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

Proper care and vigilance of warehouseman.

7. Nothing herein contained shall be held to relieve the warehouseman from exercising proper care and vigilance in

preserving the grain before or after such publication of its condition; but the grain shall be kept separate and apart from all direct contact with other grain and shall not be mixed with other grain while in store in such elevator.

Sale or pledge of grain by operator.

171. An operator of a country elevator who sells, assigns, mortgages, pledges, hypothecates, or in any manner charges any grain stored in the said elevator in special bin in accordance with the provisions of this Part which is not the sole and absolute property of the said operator, shall be deemed guilty of an offence under section 390 of *The Criminal Code*, 1906, and shall be liable to the penalties therein provided and, in addition, to the forfeiture of his license.

R. S. c. 146.

Penalty.

Sample of grain may be transmitted to chief inspector.

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

Duty of chief inspector.

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

Finding by chief inspector.

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

Finding conclusive.

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

Payment to and final settlement with farmer.

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

made on the basis of grade and dockage given by the chief inspector.

Inquiry by Board into complaints of unfairness or discrimination.

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

(*a*) fails to give just and fair weights or grades; or,

(*b*) is guilty of making unreasonable dockage for dirt or other cause; or,

(*c*) fails in any manner to operate such elevator fairly, justly and properly; or,

(*d*) is guilty of any discrimination forbidden by this Part, it shall be the duty of the Board to inquire into and investigate such complaint and the charge therein contained.

Power of Board.

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

Notice to owner.

3. Upon receipt of such complaint the Board shall notify the owner of the country elevator and furnish him with a copy of the complaint, and the date and place of holding the investigation.

Decision of Board.

176. In case the Board finds the complaint and charge therein contained, or any part thereof, true, it shall give its decision in writing and shall at once serve a copy of such decision upon the person offending and against whom such complaint was made, and also serve a copy upon the owner of such country elevator; and the Board shall direct such owner to make proper redress to the person injured, and may order the discharge of the offending operator, who shall not be engaged as manager or assistant in any country elevator for the period of one year from such discharge. Upon the failure of such owner to give such proper redress and discharge such operator the Board shall cancel the license of the country elevator. In case any other country elevator employs an operator so discharged within the said period of one year the Board shall order the dismissal of such operator, and in case of refusal to comply with the request of the Board in this regard the Board shall cancel the license of the said country elevator.

Punishment of offender.

Influencing manager to give unjust weight or take unjust dockage.

2. Every one who being a grain dealer or a member of a firm dealing in grain or an authorized agent of any such dealer or firm, influences, or attempts to influence, in any manner either by letter, circular or otherwise, any manager of any country elevator to give unjust weights or to take unjust dockage from any grain being received into such elevator, is guilty of an offence and liable, on summary conviction, to a penalty not exceeding five hundred dollars and not less than one hundred dollars.

Penalty.

177. When ordered by the Board, any person operating a country elevator under this Part shall immediately after the end of each month in which the elevator shall have been operated, furnish in writing to the Board, a return or statement showing,— Statement as to grain handled.

(*a*) the amount of grain on hand in the elevator at the commencement of such month, and the total amount of warehouse receipts at that time outstanding in respect of the said grain; Particulars.

(*b*) the total amount of warehouse receipts issued during such month, the total amount of warehouse receipts surrendered by the holders thereof during such month, and the total amount of warehouse receipts outstanding at the close of such month

(*c*) the amount of grain received and stored in such elevator during such month;

(*d*) the amount of grain delivered or shipped from such elevator during such month;

(*e*) the amount of grain on hand in such elevator at the expiration of such month.

2. The foregoing particulars shall, in each case, specify the kind of grain and grade, and the amounts of each such kind and grade. Idem.

3. Such statement shall be accompanied by a declaration of the person operating such elevator, verifying the correctness of the statement according to the best of his judgment and belief and alleging that the statement is correct according to the books kept by him and that such books have been correctly kept to the best of his judgment and belief and what books have been kept by him during such month. Declaration to accompany statement.

4. Such statement and declaration in regard to any particular elevator shall be open for inspection, in the office of the Board during business hours, by any person who is the owner of grain stored in such elevator, upon payment of a fee of fifty cents. May be inspected.

5. Any person without reasonable justification making a false statement or declaration as aforesaid, shall, on conviction upon indictment, be liable to a penalty of not less than fifty dollars, nor more than one thousand dollars, and, in default of payment, to imprisonment for not less than one month, nor more than one year. In every case, the onus of establishing reasonable justification shall be upon the person making such false statement or declaration. Penalty for false statement.

6. In the case of a firm or corporation operating a country elevator, the statement and declaration may be made by any person purporting to have knowledge of the facts and the declaration shall include an allegation that he has knowledge of the facts and shall state the source of his knowledge. Maker of statement to have knowledge of facts.

7. Any person required by this section to furnish such statement or declaration and failing to do so within three days after receipt of written notice to him from the Board, shall be liable to forfeiture of license. Failure to make declaration.

Inspection by Board.

178. The Board may inspect any country elevator and the business thereof, and the mode of conducting it.

Books, accounts, etc., to be open.

2. The property, books, records, accounts, papers and proceedings, so far as they relate to the condition, operation or management of any such elevator, or the business thereof, shall, at all times during business hours, be subject to the examination and inspection of the Board.

Forms of warehouse receipts, etc.

179. The forms of cash purchase tickets, warehouse storage receipts, storage receipts for special binned grain, and flat warehouse receipts in the schedule to this Part, and no others, shall be used by the owners of country elevators.

Idem.

2. In the case of country elevators not equipped with cleaning machinery, the word *cleaning* may be omitted from the said forms of storage receipt and storage receipt for special binned grain.

Governor in Council may alter forms.

3. The Board, with the approval of the Governor in Council may at any time make changes in the said forms, or substitute other forms therefor, and may also, in order to meet the case of country elevators on lines of railway, the terminals of which are outside of the Western Inspection Division, vary the said forms for use in the said elevators so as to allow of shipment to such terminals.

Erection of flat warehouse.

180. The Board may, on a written application by any person residing within forty miles of the nearest railway shipping point, give permission to such person to erect at such shipping point, under the provisions of this Part, a flat warehouse, covered with metal, with power to enlarge the same if necessary.

Railway to give location.

2. In such case the railway company shall be compelled to give a location with siding on its premises in some place of convenient access, to be approved by the Board, at a rental not greater than that charged to standard elevators, upon which location the flat warehouse shall be erected.

Security.

3. The owner and operator of such warehouse shall give bonds and shall be licensed in the same manner as elevator owners.

Construction of additional warehouses

181. If, in the judgment of the Board, more than one of these warehouses is required at a station, one or more additional warehouses may be authorized by them, and the provisions of this Part in that behalf shall apply to the construction of such additional warehouses.

Capacity of warehouse.

182. Every such warehouse shall contain not less than three bins of one thousand bushels capacity each, and each bin shall be numbered by a separate number.

Allotment of bins.

183. The owner of every such warehouse shall, on the application of any farmer undertaking to ship a carload of

grain, allot such farmer a bin in such warehouse as soon as one is available.

Form of application.

2. Applications for bins shall be made in a form to be approved by the Board, and blank forms for such applications shall be furnished to applicants by the warehouse operator.

Allotment in order.

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

One bin for each farmer.

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

Application for cars.

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

Time allowed for loading.

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

If carload of grain not delivered in time, shipment of grain to terminal elevator.

2. If a carload of grain is not loaded into such bin and loaded on a car within the time hereinbefore provided, the warehouse operator may at his option either load on car the grain then in the bin and ship it for the owner to a terminal elevator subject to freight, inspection and weighing charges at such terminal, and all charges for use of such flat warehouse, including an additional charge of one-half a cent per bushel for loading, or

Or sale.

he may sell the grain on account of the owner thereof, and shall then be liable to account to the owner for the proceeds, after deducting all proper charges.

Charges.

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

Grain of owner of elevator.

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

Erection to be commenced within sixty days.

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

reasonable expedition, otherwise the application therefor may be cancelled by the railway company.

Loading platforms

189. On a written application to the Board by ten farmers resident within twenty miles of the nearest shipping point, and on the approval of the application, the railway company shall, within the time hereinafter mentioned, erect and maintain at such point a loading platform as hereinafter described, suitable for the purpose of loading grain from vehicles direct into cars.

Period for application.

2. The period in each year within which the Board may receive such applications shall be between the fifteenth of April and the fifteenth of October, and the company shall not be compelled to build any such loading platforms between the first day of November and the first day of May following.

Company to construct platform within thirty days.

190. The railway company shall construct such loading platform within thirty days after the application is made to the company by the Board, unless prevented by strikes or other unforeseen causes, and shall be liable to a fine of not less than twenty-five dollars for each day's delay beyond that time.

Location and dimensions.

191. Each loading platform shall be erected within the limit of the station yard, or upon a siding where there is no station, at a siding which the railway company shall provide on its premises in some place convenient of access, to be approved by the Board, and shall be at least eighteen feet wide and fifty-four feet long, and of such height as the Board prescribes; but no loading platform shall be required to be erected at crossing sidings reserved for crossing purposes only.

Free of charge.

192. All such persons desiring to use such loading platform for the shipment of grain shall be entitled to do so free of charge.

Enlarging of platforms

193. The Board may at any time between the fifteenth day of April and the fifteenth day of October in any year order the railway company to enlarge any platform at any station or siding under the provisions of this Part, or order the company to erect additional platforms at such station or siding, if, in the judgment of the Board, the loading platform or platforms at such station or siding is or are insufficient to accommodate the public, and the railway company shall enlarge such platforms or erect such additional platforms at such station or siding, as directed by the Board, within thirty days after the receipt of an order of the Board therefor.

Furnishing of cars by company.

194. The railway company shall, upon application, furnish cars to applicants for the purpose of being loaded at such loading platforms.

Surplus cars.

2. When more cars are furnished at any point than can be accommodated at the platform, the surplus cars shall be placed

by the railway company at such applicants' disposal at a convenient place or places, on a siding other than at the platform: Provided that shippers, if they so desire, shall at all times have the option of loading on the siding instead of over the platform.

3. At any point where there is no platform, cars shall be furnished to applicants by the railway company at conv nient places on a siding, for the purpose of being loaded direct from vehicles. At points where no platforms.

195. At each station where there is a railway agent, and where the grain is shipped under such agent, an order book for cars shall be kept for each shipping point under such agent open to the public, in which applicants for cars shall make order. Order book.

2. The car-order-book shall be in the form shown in form E in the schedule to this Part. Car-order-book Form.

3. In the case of a flag station or siding from which grain is shipped, the Board may, in its discretion and for such period or periods as it deems necessary, require the railway company to provide at such flag station or shipping siding a suitable person whose duties shall be,— Duties of person at flag station or siding.

(*a*) to keep open for the use of shippers at all times during the day a car-order-book, as provided under this Part, in which orders for cars may be entered in accordance with the provisions of this Part;

(*b*) when the loading of cars is completed, to seal such car or cars;

(*c*) to provide shippers with the regular form of grain shipping bill; and

(*d*) when such grain shipping bill is properly filled out by the shipper, to hand it to the conductor of the train that picks up such car or cars or place it where such conductor may get it.

4. This section shall not apply to siding s us d exclusively for the passing of trains. Certain sidings.

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

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

196. An applicant may order a car cr cars according to his requirements, of any of the standard sizes in us by the railway company, and in case he requires to order any special standard size of car shall have such size stated by the station agent in the car-order-book, and the railway company shall furnish the Application for cars.

size ordered to such applicant in his turn as soon as a car of such specified capacity can be furnished by the railway company at the point on the siding designated by the applicant in the car-order-book. In the event of the railway company furnishing a car or cars at any station and such car or cars not being of the size required by the applicant first entitled thereto, such applicant shall not lose his priority but shall be entitled to the first car of the size designated which can be delivered at such station at such applicant's disposal as aforesaid.

Orders for cars.

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

Agent of applicant.

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

How cars shall be awarded.

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

Proviso.

Applicant to declare his intention and ability to load.

199. Each such applicant or agent, on being informed by the railway agent of the allotment to him of a car, in good order and condition, shall at once declare his intention and ability to load the said car within the next ensuing twenty-four hours.

If he is unable to do so.

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

Cancellation of car order.

Failure to load within 24 hours.

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

Cancellation.

Procedure imperative.

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

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

(*a*) the date and time when the application is made;

(*b*) where the car is to be placed; and,

(*c*) the number of the application in consecutive order.

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

(*a*) the date and time when the car was furnished;

(*b*) the car number; and,

(*c*) when loaded, the date of such loading and the destination of the car.

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

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

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

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

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

(*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, or other sufficient designation of his residence at the bottom of the list; and when the second car has been allotted to him and he has loaded or cancelled it, he may again write his name, together with such designation of his requirements at the bottom of the list; and so on, until his requirements have been filled;

(*c*) no applicant shall have more than one unfilled order on the order book at any one time.

Equitable distribution of cars during car shortage.

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

Special powers to Board to order supply of cars.

207. The Board shall have power in its discretion to order cars to be supplied, contrary to the provisions of this Part, to elevators that are in danger of collapse, or in cases where the operator of any country elevator reports in writing under oath that some portion of the grain in such elevator is heated, and

Powers.

that in order to preserve the same it is necessary to ship such heated grain to the terminal elevator for treatment: Provided, however, that no relief shall be granted in such last mentioned cases as long as the warehouseman has plenty of room in his building for the rehandling of such grain.

Conditions respecting carloads to eastern points.

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

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

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

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

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

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

(6) Grain shipped to be 'held at Winnipeg for orders' delivered in Winnipeg or St. Boniface, as provided in paragraph (4), may be sent forward to any point in Canada east of Winnipeg within six months of its receipt at Winnipeg or St. Boniface at the balance of the through rate from the initial point to destination, as provided in the carrier's authorized tariff in force on the date of the initial shipment, plus one cent per hundred pounds terminal charges, less the $3.00 per car mentioned in paragraph (1).

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

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

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

Liabilities created by Railway Act preserved. R.S., c. 37.

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

COMMISSION MERCHANTS.

Application for license to deal on commission.

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

Bond.

211. On receiving such application the Board shall fix the amount of a bond to be given to His Majesty with sufficient surety, for the benefit of persons entrusting such commission merchants with consignments of grain to be sold on commission.

Condition of bond.

212. If such commission merchant receives grain for sale on commission, the said bond shall be conditioned that he faithfully account and report to all persons entrusting him with grain for sale on commission, and pay to such persons the proceeds of the consignments of grain received by him, less the commission earned on account of the making of such sale, and necessary and actual disbursements.

Idem.

2. If he does not receive grain for sale on commission the bond shall be conditioned for the faithful performance of his duties as such commission merchant.

License fee.

213. Upon the execution of such bond to the satisfaction of the Board, and upon payment of the license fee of two dollars, the Board shall issue a license to the applicant to carry on the business of grain commission merchant until the expiration of the current license year: Provided that if the amount of business done exceeds that provided for in the bond, the Board may at any time require such additional bond as they deem necessary.

Additional bond.

Statements exclusively for Board.

214. All statements made under the provisions of this Part shall be for the exclusive information of the Board, and no other person shall be permitted to see or examine the said statements unless they are required for use in court, and in such case the Board shall produce all statements and documents referring to the case.

License to be a condition precedent.

215. No person shall engage in the business of selling grain on commission, or receive or solicit consignments of grain for sale on commission, in the Western Inspection Division, without first obtaining such annual license from the Board.

Report and statement of sale by commission merchant.

216. Whenever any grain commission merchant sells all or a portion of any grain consigned to him to be sold on commission, he shall within twenty-four hours of such sale report such sale to the consignor, and shall render to the consignor a true statement of such sale showing,—

(*a*) what portion of the consignment has been sold;
(*b*) the price received therefor;
(*c*) the date when sale was made;
(*d*) the name or names of the purchaser;
(*e*) the grade;
(*f*) the amount of advance;
(*g*) the terms and delivery of sale.

Form.

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

Complaint in writing by consignor to Board.

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

Powers of Board.

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

Board's report of investigation.

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

TRACK BUYERS.

License and bonds of track buyers.

218. Unless already licensed and bonded sufficiently in the opinion of the Board to carry on the business of a track buyer, no person shall carry on the business of a track buyer without

first having obtained a license so to do from the Board and entered into a bond, with sufficient sureties, for such amount and in such form as is approved by the Board.

License fee.

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

Cash purchases of grain not subject to section.

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

Payment of the purchase money.

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

Duties of track buyer.

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

Application of Act to licenses.

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

General Provisions.

Pooling of country elevators prohibited.

221. No person or corporation, or their agent, operating a country elevator, shall enter into any contract, agreement, understanding or combination with any other such person, corporation, or their agent, for the pooling or division of earnings

or receipts of such country elevators, or divide with any other such person or corporation, or their agent, the gross or net earnings or receipts of such country elevators or any portion thereof.

Penalty.

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

Uniform charges.

222. The rate that may be charged for the cleaning or storing of grain in any country elevator shall be the same in all the elevators operated by any one person or company: Provided, however, that if it is shown to the satisfaction of the Board that a lower rate than that charged for cleaning or storing grain in the elevators of any person or company is necessary at any point in order to meet competition, the Board may give written permission to charge such lower rates at that point as are in its opinion necessary to meet such competition, and at the same time authorize the ordinary rates at all other elevators belonging to such person or company.

Time for loading car.

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

Daily statement for nearest station agent.

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

Warehouses or elevators doing business on 6th July, 1900.

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

How moneys shall be dealt with.

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

Grain not required to be received if no room or elevator closed.

227. Nothing in this Act shall be construed to require the receipt of any kind of grain into any elevator in which there is not sufficient room to accommodate or store it properly, or in cases where the elevator is necessarily closed.

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

(*a*) ascertain the condition of such car and determine whether any leakages have occurred while the car was in transit; and,

(*b*) make a record of any leakage found, stating the facts connected therewith.

2. Such inspector, deputy or official shall forthwith report the defective condition of such car to the proper railway official, and to the Board. Report.

229. For the purpose of preserving the identity of grain in transit from Winnipeg to points of consumption in eastern Canada or to ports of export shipment on the seaboard, the Board may grant to any shipper permission to lease for such term as is approved by him special bins in such terminal elevators as are necessarily used in the transportation of grain eastward from Winnipeg for the special binning of grain in transit. The bin capacity which may be so leased in any terminal elevator shall be as the Board shall approve, but shall not be less than sixteen thousand bushels in any such elevator. The term of the several leases shall be as approved by the Board. Identity of grain.

2. The shipper receiving such permission may, subject to its terms, enter into an agreement for the lease of special bins in terminal elevators necessary to the transportation of grain from Winnipeg to the point of destination.

3. The rates to be paid for the lease of such special bins shall be such as are agreed upon: Provided that on payment of the regular rate for the full capacity leased for the full term of the lease the shipper acting under the permission of the Board as in this section provided, shall be given a lease of the bin capacity to which he thereby becomes entitled.

4. Upon the shipper who has secured such permission producing to the Board satisfactory evidence that he holds leases of such special bins in the several terminal elevators necessary to the transportation of grain from Winnipeg to the point of destination as will enable him to preserve the identity of the grain during its transportation from Winnipeg to the point of destination in lots of not less than sixteen thousand bushels each, and that such leases are in accordance with the permission already granted, the Board may authorize such shipper to take such means as are necessary or possible within the provisions of this Act to preserve the identity of grain which he desires to ship through the elevators in which he holds leases of special bins.

5. The Board shall issue such instructions and regulations within the provisions of this Act as are practicable and necessary

for the preservation of the identity of grain which is being shipped by the shipper to whom permission has been given as provided in this section, using the bins specially leased in the several elevators as above provided for the storage and transhipment of such grain: Provided always that nothing in this section or in such instructions or regulations shall be construed to authorize the plac ng of grain of different grades in the same special bin in any terminal elevator.

6. An infraction of any of the instructions or regulations issued by the Board under this section shall be deemed to be an infraction of the provisions of this Act.

7. The provisions of Part II of this Act shall apply to grain specially binned in transit under the provisions of this section.

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

Rules and regulations. posted up.

230. The rules and regulations made under the authority of this Act shall be posted up by the Board in a conspicious place in every licensed elevator.

Certain regulations to be posted up by owner of elevator, etc.

231. Such of the said rules and regulations as refer to dealings between producers, buyers, shippers and elevators, together with such portions of this Act as the Board deems proper, shall be printed in reasonably large type by the Board and posted in a conspicuous place in every licensed elevator by the owner thereof.

Kind of sieves to be used.

232. When testing sieves are used for the purpose of dockage, the wire cloth used in their construction shall have ten meshes to the inch each way and be of number twenty-eight standard gauge hard tinned steel wire, and every such sieve shall be verified by the Board.

2. No damaged or defective sieves shall be used.

Defective scales to be reported.

233. Any person in charge of scales at any elevator under this Act who finds that such scales are defective shall report the fact to the inspector of weights and measures, and to the owner of such elevator.

Inspection of scales.

2. No new elevator shall be operated until the scales are inspected and approved by the proper weights and measures officials.

As to weight of cleaned grain.

234. Where in any elevator grain is cleaned before being weighed the provisions of this Act requiring statement of gross weights shall not apply to uch grain.

Board may refuse to renew license.

235. The Board may, within one year from the time of any license being revoked, refuse to renew the license or to grant a new one to the person whose license has been revoked.

236. Except as to the delivery of grain previously stored in a terminal elevator, every person who transacts the business of a terminal warehouseman, without first procuring a license as herein provided, or who continues to transact such business after such license has been revoked, shall, on conviction upon indictment, be liable to a penalty of not less than fifty dollars nor more than two hundred and fifty dollars for each and every day he so transacts or continues to transact such business. Penalty on unlicensed warehouseman.

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

238. Every person who,—

(*a*) operates a country elevator without first procuring a license as herein provided; or

(*b*) after his license in that behalf has been revoked continues to transact any business connected with the operation of a country elevator, other than the delivery of grain previously to such revocation stored therein;

shall on conviction, upon indictment, be liable to a penalty of not less than ten dollars and not more than fifty dollars for each and every day he so operates such elevator or continues to transact such business. Operating country elevator without license. Penalty.

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

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

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

242. Every person is guilty of an offence and liable on summary conviction to a penalty of not less than five thousand Penalty for certain offences as

respects terminal elevators.

dollars and costs and not exceeding twenty thousand dollars and costs and to imprisonment for any term not exceeding two years, who—

Owner, etc., buying or selling grain.

(*a*) while owning, managing, operating or being otherwise interested in any public or terminal elevator, buys or sells grain at any point in the Western Inspection Division contrary to the provisions of section 123 of this Act;

Mixing grades.

(*b*) mixes different grades of grain while such grain is stored in any terminal elevator;

Untrue statements.

(*c*) makes any untrue statement (with respect to anything required by this Act) as to the receipts or shipments into or out of any terminal elevator or as to the quantity, kind or grade of grain in store in a terminal elevator.

Personal liability of officers, etc. of corporations.

2. If any corporation is convicted of an offence under this section, every officer of such corporation and every person interested in or employed by the said corporation who had any part or share in the commission of such offence, shall also be personally liable to the said penalties.

Suspension of license.

3. Any terminal elevator in respect of which or in which any offence mentioned in this section has been committed shall not be licensed or operated for a period not exceeding one year in the discretion of the Board after the conviction of the person committing the offence.

Person violating this Act.

243. Every person guilty of an infraction of, or failing to comply with the requirements of this Act, for which a penalty is not in this Act provided, or of any rule or regulation made pursuant to this Act, shall, upon summary conviction, in addition to any other punishment prescribed by law, be liable to a

Penalty.

penalty of not less than ten dollars, nor more than one thousand dollars, and, in default of payment, to imprisonment for not less than one month nor more than one year.

Corporation violating this Act.

244. Every corporation guilty of an infraction of, or failing to comply with the provisions of this Act, for which a penalty is not in this Act provided, or of any rule or regulation made pursuant to this Act, shall, upon summary conviction, in addition

Additional penalty.

to any other punishment prescribed by law, be liable to a penalty of not less than ten dollars nor more than one thousand dollars.

Offences in connection with applications for cars.

245. Every one who,—

(*a*) transfers or sells his right to any car allotted to him for shipping grain, or to be allotted to him for shipping grain; or,

(*b*) purchases, takes over or accepts any assignment or transfer of the right of any applicant entitled to a car for shipping grain; or,

(*c*) loads any such car which has not been allotted to him by the station agent, or out of his turn loads such car; or

(*d*) not being the agent, duly authorized in writing, of an applicant for a car for shipping grain, obtains the placing

of a name on the car-order-book as the name of an applicant for a car for shipping grain;

is guilty of an offence and liable, on summary conviction, to a penalty not exceeding one hundred and fifty dollars and not less than twenty-five dollars. Penalty.

2. One-half of any penalty imposed under this section, with full costs, shall be paid to the person who informed and prosecuted for the same. Disposal of penalty.

REPEAL.

246. The following enactments are hereby repealed, on and after the date upon which the Board of Grain Commissioners for Canada is appointed by the Governor in Council as provided by section 3 of this Act:— Repeal. Date.

The Manitoba Grain Act, chapter 83 of *The Revised Statutes of Canada*, 1906. R.S., c. 83.

The Manitoba Grain Inspection Act, 1908, chapter 45 of the statutes of 1908. 1908, c. 45.

Part II of *The Inspection and Sale Act*, chapter 85 of *The Revised Statutes of Canada*, 1906. R.S., c. 85.

The Inspection and Sale of Grain Amendment Act, 1908, chapter 36 of the statutes of 1908. 1908, c. 36.

SCHEDULE.

A.

CASH TICKET.

No.

Station.

(Date)

Purchased from

Net bushels pounds

g ade. Kind of grain

(net we ght in words).

P.ice.

P.ice per bu hel $ total cash payable $ Total price *(in words)*

gross weight bu hels pounds.

Dockage " "

Net weight " "

By

Agent.

B.

STORAGE RECEIPT.

No.

Elevator (*or warehouse*)

191

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

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

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

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

	Bush.	Pounds.
Weight gross		
Dockage	"	"
Weight net	"	"

(*net weight in words*)

By

Agent.

C.

STORAGE RECEIPT FOR SPECIAL BINNED GRAIN.

No.

Elevator (*or warehous*).

, 191 .

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

The charge for receiving, cleaning, insuring against loss by fire, handling, storing 15 days and shipping grain is cents per bushel. (It is provided by law that this charge shall not exceed cents per bushel.)

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

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

Weight gross	bushels	pounds.
Dockage net	"	"
Weight net	"	"

(*net weight in words*)

D.

FLAT WAREHOUSE RECEIPT.

No.
Flat warehouse.

, 191 .

Received into bin No. of this warehouse from

bushels pounds.
kind of grain (weight and identity guaranteed by this warehouse) under the following conditions:

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

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

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

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

By

Agent.

E.

CAR-ORDER BOOK.

.... Railway Company.

ORIGINAL CAR ORDER.

Date.....

Time.....

Order No.....

.....Station.

To be placed at.....

Capacity of car.....

Destination.....

Date when supplied.....

Date when cancelled.....

Date when loaded.....

No. car supplied.....

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

Applicant's signature.....

Applicant's residence.....

(Agent's signature).....

(Agent's residence).....

..... Railway Company

RECEIPT. CAR ORDER.

Date.....

Time.....

Order No.....

.....Station.

To be placed at.....

Capacity of car.....

Destination.....

Date when supplied.....

Date when cancelled.....

Date when loaded.....

No. car supplied.....

I hereby acknowledge receipt of this order.

(Station agent's signature).....

.....

F.

REPORT OF SALE BY COMMISSION MERCHANT.

No.....
License year 191 191 .

License No.....

.....

LICENSED GRAIN COMMISSION MERCHANTS.

To..... .....191 .
(Name of consignor.) *(Date.)*

.....
(Address of consignor.)

We advise the following sale made for your account today.

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

Yours truly,

.....

G.

TRACK BUYER'S PURCHASE NOTE.

License No.....

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

.....

.....

.....

.....

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

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

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

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

REMARKS.....

.....

.....Buyer.

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

.....
Seller.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL R.

An Act to amend the Chinese Immigration Act.

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 Chinese Immigration Amendment Act, 1911.*

Interpretation. R.S., c. 95.

2. In this Act the expression "the principal Act" means *The Chinese Immigration Act,* chapter 95 of the Revised Statutes, 1906.

S. 4 repealed.

3. Section 4 of the principal Act is hereby repealed.

Explanatory Note.—The present section defining the term "merchant" has not, in recent years, been found sufficient. The definition will be further restricted by the Governor in Council under clause 4, sub-clause 5 (*a*). See explanatory note thereto.

S. 7 repealed. 1908, c. 14, ss. 2, 3, 4 repealed.

4. Subsections 1 and 2 of section 7 of the principal Act, and sections 2, 3 and 4 of chapter 14 of the statutes of 1908, are repealed, and the following is enacted as section 7 of the principal Act:—

R.S., c. 95, new s. 7. Tax payable by Chinese immigrants. Exemptions from payment of tax.

"**7.** Every person of Chinese origin, irrespective of allegiance, shall pay into the Consolidated Revenue Fund of Canada, on entering Canada, at the port or place of entry, or at such other place as is hereinafter provided, a tax of five hundred dollars, except the following persons who shall be exempt from such payment, that is to say:—

Diplomats, etc.

"(*a*) Members of the diplomatic corps and other representatives of the Government of China, their suites and their servants;

Consuls, etc.

"(*b*) Consuls general, consuls and consular agents, their suites and their servants;

Wives and children of foregoing.

"(*c*) The wives and children of the persons mentioned in paragraphs (*a*) and (*b*) of this subsection;

Explanatory Note.—Paragraphs (*a*), (*b*) and (*c*) are unchanged, except that the suites and servants of consuls and consular agents are added to the exempt classes.

Merchants.

"(*d*) Merchants and tourists, who shall substantiate their status to the satisfaction of the controller, subject to the approval of the Minister, and also, if so required by the controller, shall produce certificates of identity or other similar documents issued by the Government or by a recognized official or representative of the Government whose subjects they are, specifying their occupation and their object in coming into Canada. Every such certificate or other document shall be in the English or French language, and shall be examined and endorsed (*visé*) by a British Consul or Chargé d'Affaires or other accredited representative of His Majesty at the place where it is granted or at the port or place of departure;

Certificate of identity.

Explanatory Note.—There is a slight restriction added in paragraph (*d*). At present the status has to be proved either to the satisfaction of the controller or else Chinese must bear the certificates referred to; in either case they are free. Under the new provision their status must be proven to the satisfaction of the controller at the port of entry in any event.

Merchants' sons in certain cases.

"(*e*) Any person who being over twenty-one but under thirty years of age and the son of a merchant, comes to Canada for the purpose of becoming an active partner in his father's business, or of taking charge of that business if his father has died;

Explanatory Note.—This is a new provision. The argument has been advanced that Chinese merchants, either being too old to carry on their business or dying in Canada, could not leave such business to be carried on by a minor son. *Minor* sons of merchants only are free. This clause will permit a son between the ages mentioned to come into Canada free for the purpose stated.

Clergymen.

"(*f*) Clergymen of the Christian religion;

Savants.

"(*g*) Men of science;

Explanatory Note.—Paragraphs (*f*) and (*g*) are unchanged, except that clergymen heretofore have not been limited to the Christian religion. This is a further restriction.

Students.

"(*h*) Any person who—

(i) in or under the control or direction of any educational body of good standing in China, such as a university, an educational guild, a board of education, high school, a mission college, or the like, pursues a regular course of study in some one, or more, of the higher branches of learning as recognized in Canada;

(ii) has pursued studies qualifying him for entrance to, or otherwise required in the practice of, some profession, or to some calling in which special mental training, whether scientific, technical or otherwise, is necessary;

(iii) having had a liberal education, is studying some special subject, such as art, science, literature, manners, customs, institutions, politics, history, or the like;

and who arrives in Canada and claims exemption on any of the grounds mentioned in this paragraph.

Refund in certain cases to students.

If such person is not able to establish his right thereto, and pays the tax of five hundred dollars or any part thereof, he shall be entitled to a refund of the amount paid if, within two years and six months from the date of his arrival, he produces

to the chief controller such evidence as is required by regulations made under this Act that he has been for at least two years, and that he is at the time of the application for the refund, a bona fide student in attendance at some university, college, school or other educational institution in Canada; and any such regulation may define the universities, colleges, schools and other educational institutions to which the provision for refund shall apply;

Explanatory Note.—Under paragraph (*h*) Chinese students possessing an advanced education, are to be exempt from the capitation tax. At present they are required to pay the tax, and may obtain a refund after one year at a university in Canada.

Under paragraph (*h*) Chinese students unable to prove their status may obtain a refund after attending the ordinary schools for a period of two years. Under the present law they are not entitled to any refund.

Chinese teachers.

"(*i*) Any person qualified according to Chinese law or custom as a teacher of any sort of Chinese learning, if he is to be employed as such teacher continuously in any university, college, school or other educational institution within a reasonable time after his arrival in Canada;

Explanatory Note.—This paragraph is especially intended to exempt Chinese teachers for the Chinese schools on the Pacific coast.

Persons born in Canada.

"(*j*) Any person born in Canada of parents of Chinese origin and returning to Canada after having left it for educational purposes, or for such other purposes as are defined in regulations made under this Act;"

Explanatory Note.—At present, minor children only are permitted to return. This paragraph will permit Chinese born in Canada to return free, even though they may be over 21 years of age.

Wives.

"(*k*) The wife of any person exempt under paragraphs (*d*) to (*j*), both inclusive, of this subsection;

Explanatory Note.—This paragraph adds to the exempt classes the wives of tourists, clergymen of the Christian religion, men of science, teachers and persons born in Canada.

Children.

"(*l*) Children, under twenty-one years of age, of any person exempt under paragraphs (*d*) to (*k*), both inclusive, of this subsection;

Explanatory Note.—The additional exemption accorded under this paragraph is to the minor children of tourists, clergymen of the Christian religion, men of science, teachers, and persons born in Canada.

Conditions of exemptions.

"2. The exemption granted by subsection 1 of this section shall, except as regards the persons mentioned in paragraphs (*a*), (*b*) and (*c*) thereof, be subject to the following conditions:—

"(*a*) That there is produced to the controller at the port of entry such evidence of identity, age, status, occupation or other qualification for exemption of the person claiming the exemption, as may be required by regulations made for the purpose by the Governor in Council; and,

"(*b*) That the authority or officer who under such regulations is to decide finally the sufficiency of such evidence, is satisfied that it is sufficient; and,

"(*c*) That all other requirements of such regulations have been complied with.

Payment of tax at destination instead of at port of entry.

"3. Notwithstanding anything in this Act, but subject to any regulation made thereunder, any Chinese immigrant whose destination in Canada is other than the port or place at which he enters Canada, may proceed to his destination without paying at the port or place of entry the tax hereinbefore provided for, if he proves to the controller at the port or place of entry that the amount of the tax has been paid by or for such immigrant to the Collector of Customs at such destination, or, if there be no Collector of Customs there, then to the Collector of Customs at the port nearest thereto.

Explanatory Note.—Subsections 2 and 3 are unchanged.

Burden of proof of right to exemption.

"4. Whenever any person claims exemption under this section the burden of proof of his right thereto shall rest upon the person claiming such right.

Explanatory Note.—This is a new provision. The burden of proof of the right to free entry into Canada is now placed on the person of Chinese origin making such claim.

Regulations defining classes and evidence.

"5. The Governor in Council may make regulations further defining—

"(*a*) the persons comprised in the various classes entitled to exemption from payment of the tax payable under this Act; and,

"(*b*) the nature, kind, form and sufficiency of evidence to be furnished in order to establish the right of any such person to such exemption."

Explanatory Note.—Under the above sub-clause the Governor in Council may further define those who shall be exempt from the payment of the tax. The absence of such definition in the past has lead to extensive frauds in the case of alleged merchants.

Section added.

5. The following section is inserted immediately after section 14 of the principal Act:—

Burden of proof of right to be in Canada.

"**14A.** Whenever the question of the right to be in Canada is raised in the case of any person of Chinese origin who has been arrested or apprehended, or is believed to have been smuggled into Canada or to have entered Canada without having complied with the requirements of the law respecting such a person, the burden of proof of such right shall rest upon such person."

Explanatory Note.—Clause 5 is a new provision. By it the burden of proof of the right to be in Canada is placed upon any Chinese person whose status is questioned, and who claims that he has entered Canada legally. At times the inability of the Crown to convict Chinese who have been smuggled into Canada has been a source of continual trouble, notwithstanding the fact that circumstantial evidence strongly pointed to their guilt.

R.S., c. 95, new s. 21.

6. Section 21 of the principal Act is repealed and the following is substituted therefor:—

Refund of tax to registered Chinese persons.

"**21.** The person so registered shall be entitled to free entry on his return to Canada, or, if on his return to Canada he has paid the tax or any part thereof, to receive from the controller the amount so paid if,—

"(*a*) his return is within twelve months of his registration under section 20 of this Act; or,

"(*b*) when his return has been delayed by illness, his return is within eighteen months of such registration;

"Provided that in either of the above cases his identity shall be proved to the satisfaction of the controller, otherwise he shall be subject to payment of the tax as in the case of a first arrival.

Explanatory Note.—The new section merely permits to Chinese six months' grace upon returning to Canada after twelve months' leave of absence, provided the return within 12 months is prevented by illness alone. For years past Chinese have been permitted leave of absence for one year, during which time they could return to Canada without the payment of the tax.

"2. On any question arising under this section the decision of the Chief Controller shall be final." Decision of Chief Controller

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

R

An Act to amend The Chinese Immigration Act.

Received and read a first time

Friday, 10th February, 1911.

Second reading

Wednesday, 15th February, 1911.

The Right Honourable
SIR RICHARD CARTWRIGHT, G.C.M.G.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL R.

AS PASSED BY THE SENATE 16th MARCH, 1911.

An Act to amend the Chinese Immigration Act.

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

1. This Act may be cited as *The Chinese Immigration Amendment Act, 1911.* Short title.

2. In this Act the expression "the principal Act" means *The Chinese Immigration Act,* chapter 95 of the Revised Statutes, 1906. Interpretation. R.S., c. 95.

3. Section 4 of the principal Act is hereby repealed. S. 4 repealed.

4. Subsections 1 and 2 of section 7 of the principal Act, and sections 2, 3 and 4 of chapter 14 of the statutes of 1908, are repealed, and the following is enacted as section 7 of the principal Act:— S. 7 repealed. 1908, c. 14, ss. 2, 3, 4 repealed.

"**7.** Every person of Chinese origin, irrespective of allegiance, shall pay into the consolidated revenue fund of Canada, on entering Canada, at the port or place of entry, or at such other place as is hereinafter provided, a tax of five hundred dollars, except the following persons who shall be exempt from such payment, that is to say:— R.S., c. 95, new s. 7. Tax payable by Chinese immigrants. Exemptions from payment of tax.

"(*a*) Members of the diplomatic corps and other representatives of the Government of China, their suites and their servants; Diplomats, etc.

"(*b*) Consuls general, consuls and consular agents, their suites and their servants; Consuls, etc.

"(*c*) The wives and children of the persons mentioned in paragraphs (*a*) and (*b*) of this subsection; Wives and children of foregoing.

"(*d*) Merchants and tourists, who shall substantiate their status to the satisfaction of the controller, subject to the Merchants.

approval of the Minister, and also, if so required by the controller, shall produce certificates of identity or other similar documents issued by the Government or by a recognized official or representative of the Government whose subjects they are, specifying their occupation and their object in coming into Canada. Every such certificate or other document shall be in the English or French language, and shall be examined and endorsed (*visé*) by a British Consul or Chargé d'Affaires or other accredited representative of His Majesty at the place where it is granted or at the port or place of departure;

Certificate of identity.

Merchants' sons in certain cases.

"(*e*) Any person who being over twenty-one but under thirty years of age and the son of a merchant, comes to Canada for the purpose of becoming an active partner in his father's business, or of taking charge of that business if his father has died;

Clergymen.

"(*f*) Clergymen of the Christian religion;

Savants.

"(*g*) Men of science;

Students.

"(*h*) Any person who—

(i) in or under the control or direction of any educational body of good standing in China, such as a university, an educational guild, a board of education, high school, a mission college, or the like, pursues a regular course of study in some one, or more, of the higher branches of learning as recognized in Canada; or—

(ii) has pursued studies qualifying him for entrance to, or otherwise required in the practice of, some profession, or to some calling in which special mental training, whether scientific, technical or otherwise, is necessary; or—

(iii) having had a liberal education, is studying some special subject, such as art, science, literature, manners, customs, institutions, politics, history, or the like;

and who arrives in Canada and claims exemption on any of the grounds mentioned in this paragraph;

Refund in certain cases to students.

if such person is not able to establish his right to exemption, and pays the tax of five hundred dollars or any part thereof, he shall be entitled to a refund of the amount paid if, within two years and six months from the date of his arrival, he produces to the chief controller such evidence as is required by regulations made under this Act that he has been for at least two years, and that he is at the time of the application for the refund, a *bonâ fide* student in attendance at some university, college, school or other educational institution in Canada; and any such regulation may define the universities, colleges, schools and other educational institutions to which the provision for refund shall apply;

Chinese teachers.

"(*i*) Any person qualified according to Chinese law or custom as a teacher of any sort of Chinese learning, if he is to be employed as such teacher continuously in any university,

college, school or other educational institution within a reasonable time after his arrival in Canada;

"(*j*) Any person born in Canada of parents of Chinese origin and returning to Canada after having left it for educational purposes, or for such other purposes as are defined in regulations made under this Act; Persons born in Canada.

"(*k*) The wife of any person exempt under paragraphs (*d*) to (*j*), both inclusive, of this subsection; Wives.

"(*l*) Children, under twenty-one years of age, of any person exempt under paragraphs (*d*) to (*k*), both inclusive, of this subsection; Children.

"2. The exemption granted by subsection 1 of this section shall, except as regards the persons mentioned in paragraphs (*a*), (*b*) and (*c*) thereof, be subject to the following conditions:— Conditions of exemptions.

"(*a*) That there is produced to the controller at the port of entry such evidence of identity, age, status, occupation or other qualification for exemption of the person claiming the exemption, as may be required by regulations made for the purpose by the Governor in Council; and,

"(*b*) That the authority or officer who under such regulations is to decide finally the sufficiency of such evidence, is satisfied that it is sufficient; and,

"(*c*) That all other requirements of such regulations have been complied with.

"3. Notwithstanding anything in this Act, but subject to any regulation made thereunder, any Chinese immigrant whose destination in Canada is other than the port or place at which he enters Canada, may proceed to his destination without paying at the port or place of entry the tax hereinbefore provided for, if he proves to the controller at the port or place of entry that the amount of the tax has been paid by or for such immigrant to the Collector of Customs at such destination, or, if there be no Collector of Customs there, then to the Collector of Customs at the port nearest thereto. Payment of tax at destination instead of at port of entry.

"4. Whenever any person claims exemption under this section the burden of proof of his right thereto shall rest upon the person claiming such right. Burden of proof of right to exemption.

"5. The Governor in Council may make regulations further defining— Regulations defining classes and evidence.

"(*a*) the persons comprised in the various classes entitled to exemption from payment of the tax payable under this Act; and,

"(*b*) the nature, kind, form and sufficiency of evidence to be furnished in order to establish the right of any such person to such exemption."

5. The following section is inserted immediately after section 14 of the principal Act:— Section added.

"**14A.** Whenever the question of the right to be in Canada is raised in the case of any person of Chinese origin who has been Burden of proof of right to be in Canada.

arrested or apprehended, or is believed to have been smuggled into Canada or to have entered Canada without having complied with the requirements of the law respecting such a person, the burden of proof of such right shall rest upon such person."

R.S., c. 95, new s. 21.

6. Section 21 of the principal Act is repealed and the following is substituted therefor:—

Refund of tax to registered Chinese persons.

"**21.** The person so registered shall be entitled to free entry on his return to Canada, or, if on his return to Canada he has paid the tax or any part thereof, to receive from the controller the amount so paid if,—

"(*a*) his return is within twelve months of his registration under section 20 of this Act; or,

"(*b*) when his return has been delayed by illness, his return is within eighteen months of such registration;

"Provided that in either of the above cases his identity shall be proved to the satisfaction of the controller, otherwise he shall be subject to payment of the tax as in the case of a first arrival.

Decision of Chief Controller.

"2. On any question arising under this section the decision of the Chief Controller shall be final."

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL S.

An Act to incorporate The Albert and Moncton 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. Frederick Vernon Wedderburn, barrister, and Thomas Maynard Robinson, accountant, both of the city of St. John, in the province of New Brunswick; James W. Domville, manufacturer, W. S. Gardner, civil engineer, and Edward Domville, clerk, all of the city of Montreal, in the province of Quebec, Joseph D. Mackenzie, consulting engineer, Joseph C. D. Mackenzie, consulting engineer, J. Ernest Hawkins, capitalist, and John King, capitalist, all of the city of London, England, the Honourable Peter McSweeney, of the city of Moncton, in the province of New Brunswick, senator, and the Honourable James Domville, of Rothesay, in the province of New Brunswick, senator, together with such persons as become shareholders in the company are hereby incorporated under the name of "The Albert and Moncton Railway Company" hereinafter called "the Company".

Corporate name.

Declaration.

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

Provisional directors.

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

Capital stock.
Calls.

4. The capital stock of the Company shall be two hundred and fifty 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 Albert Mines, in the parish of Hillsborough, in the province of New Bruns-

wick, or at such other place as the Company may from time to time designate.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second 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 authorized.

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 Hillsboro, in the parish of Hillsborough, in the county of Albert, in the province of New Brunswick, to the Albert Mines in the said parish of Hillsborough, and from thence by the most feasible route, to the city of Moncton, in the county of Westmoreland, in the province of New Brunswick.

Vessels.

9. The Company may, for the purposes of its undertaking, construct, acquire, charter and dispose of steam and other vessels, of every kind and description, for the conveyance of trains, cars, passengers, goods and merchandise, and navigate them to and from the terminal points of its line of railway from and to ports in Canada and elsewhere; and may construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, terminal facilities, and other structures to be used to facilitate the carrying on of the business of the Company in connection therewith; and may carry on the business of wharfingers and general warehousemen.

Wharves and buildings.

Wharfinger business.

Issue of securities.

10. The Company may issue securities with respect to its railway, exclusive of the railway upon the bridge mentioned in section 11 of this Act, to an amount not exceeding thirty thousand dollars per mile of single track, with an additional amount of fifteen thousand dollars per mile of double track; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Bridge across Peticodiac River.

11. The Company may lay out, construct, operate, maintain and use a bridge across the Peticodiac River, at the city of Moncton, for foot passengers, vehicular and general traffic, street railway and railway purposes.

Tolls.

2. If the Company constructs the said bridge for the use of foot passengers, vehicular and general traffic, and street railway traffic, as well as for railway purposes, then the tolls to be charged for the passage of such foot passengers, carriages and all classes of vehicles and street cars shall, before being imposed, first be submitted to and approved of, and may be amended and modified from time to time, by the Board of Railway Commissioners for Canada: Provided, however, that the Company may

Approval.

Proviso.

at any time reduce the same, and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridge. Notice.

3. The Company shall not commence the said bridge until it has submitted to the Governor in Council plans of the said bridge and of all the intended works thereunto appertaining, nor until such plans and the site of such bridge have been approved by the Governor in Council, and such conditions as he thinks fit, for the public good and the right of navigation, to impose touching the said bridge and works, have been complied with. Approval of plans.

12. The Company may issue bonds, debentures, or other securities to the extent of five hundred thousand dollars in aid of the construction of the bridge mentioned in section 11 of this Act, and such securities may be secured by a deed of mortgage describing the property charged as security for such bonds or debentures, and such deed of mortgage may contain provisions that all tolls or revenue derived from the use of said bridge by other corporations or persons shall be specially charged and pledged as security for such bonds, and may also provide that the Company shall pay to the trustees of such mortgage rates and tolls similar to those fixed for the use of the bridge by similar corporations, which rates and tolls shall also be charged as security for such bonds; and such deed of mortgage may also stipulate that the said bonds, debentures, or other securities issued in respect of the said bridge shall also be secured by the whole undertaking of the Company. Issue of securities on bridge. Mortgage deed.

13. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies. Telegraph and teleghone lines. R.S., c. 37.

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

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

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements for any of the purposes specified in the said section 361 with The General Oil Shales Company of Canada, Limited.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

S

An Act to incorporate The Albert and Moncton Railway Company.

Received and read a first time,

Tuesday, 14th February, 1911.

Second reading,

Thursday, 16th February, 1911.

Honourable Mr. McSweeney.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL S.

AS PASSED BY THE SENATE 12th MAY, 1911.

An Act to incorporate The Albert and Moncton 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 Vernon Wedderburn, barrister, Thomas Maynard Robinson, accountant, and Robert L. Johnston, broker, all of the city of St. John, in the province of New Brunswick; James W. Domville, manufacturer, W. S. Gardner, civil engineer, and Edward Domville, clerk, all of the city of Montreal, in the province of Quebec; Joseph C. D. Mackenzie, consulting engineer, and J. Ernest Hawkins, capitalist, both of the city of London, England, the Honourable Peter McSweeney, of the city of Moncton, in the province of New Brunswick, senator, and the Honourable James Domville, of Rothesay, in the province of New Brunswick, senator, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Albert and Moncton Railway Company" hereinafter called "the Company". Incorporation. Corporate name.

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

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

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

Head office.

5. The head office of the Company shall be at the Albert Mines, in the parish of Hillsborough, in the province of New Brunswick, or at such other place as the Company may from time to time designate.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the second 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 authorized.

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 Hillsboro, in the parish of Hillsborough, in the county of Albert, in the province of New Brunswick, to the Albert Mines in the said parish of Hillsborough, and from thence by the most feasible route, to the city of Moncton, in the county of Westmoreland, in the province of New Brunswick.

Vessels.

9. The Company may, for the purposes of its undertaking, construct, acquire, charter and dispose of steam and other vessels, of every kind and description, for the conveyance of trains, cars, passengers, goods and merchandise, and navigate them to and from the terminal points of its line of railway from and to ports in Canada and elsewhere; and may construct,

Wharves and buildings.

acquire, lease and dispose of wharves, docks, elevators, warehouses, terminal facilities, and other structures to be used to facilitate the carrying on of the business of the Company in

Wharfinger business.

connection therewith; and may carry on the business of wharfingers and general warehousemen.

Issue of securities.

10. The Company may issue securities with respect to its railway to an amount not exceeding thirty thousand dollars per mile of single track, with an additional amount of fifteen thousand dollars per mile of double track, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Bridge across Peticodiac River.

11. The Company may lay out, construct, operate, maintain and use a bridge across the Peticodiac River, at the city of Moncton, for foot passengers, vehicular and general traffic, street railway and railway purposes.

Tolls.

2. If the Company constructs the said bridge for the use of foot passengers, vehicular and general traffic, and street railway traffic, as well as for railway purposes, then the tolls to be charged for the passage of such foot passengers, carriages and all classes of vehicles and street cars shall, before being imposed,

Approval.

first be submitted to and approved of, and may be amended and modified from time to time, by the Board of Railway Commissioners for Canada: Provided, however, that the Company may

Proviso.

at any time reduce the same; and a notice showing the tolls authorized to be charged shall at all times be posted up in a conspicuous place on the said bridge. Notice.

3. The Company shall not commence the said bridge until it has submitted to the Governor in Council plans of the said bridge and of all the intended works thereunto appertaining, nor until such plans and the site of such bridge have been approved by the Governor in Council, and such conditions as he thinks fit, for the public good and the right of navigation, to impose touching the said bridge and works, have been complied with. Approval of plans.

12. In addition to the securities authorized by section 10 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow money, for the acquisition, construction, extension, or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made. Issue of securities on works other than railway. R.S., c. 37.

13. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies. Telegraph and telephone lines. R.S., c. 37.

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

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

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements for any of the purposes specified in the said section 361 with The General Oil Shales Company of Canada, Limited.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL T.

An Act for the relief of Matilda Emo.

Preamble.

WHEREAS Dame Matilda Emo, presently residing at the city of Montreal, in the province of Quebec, wife of Peter Henry Hibbard, presently of the city of Quebec, in the province of Quebec, machinist, has by her petition alleged, in effect, that they were lawfully married on the eighth day of January, A.D. 1896, at the said city of Montreal, she then being the widow of John Frederick Lisle, in his lifetime of the said city of Montreal; that the legal domicile of the said Peter Henry Hibbard was then and is now in Canada; that at the city of Quebec, in the province of Quebec, on or about the twenty-seventh day of April, A.D. 1910, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Dame Matilda Emo and Peter Henry Hibbard 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 Dame Matilda Emo may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Peter Henry Hibbard had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

T

An Act for the relief of Matilda Emo.

Received and read a first time

Wednesday, 15th February, 1911.

Second reading

Friday, 17th February, 1911.

Honourable MR. OWENS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL T.

AS PASSED BY THE SENATE 22nd FEBRUARY, 1911.

An Act for the relief of Matilda Emo.

Preamble.

WHEREAS Dame Matilda Emo, presently residing at the city of Montreal, in the province of Quebec, wife of Peter Henry Hibbard, presently of the city of Quebec, in the province of Quebec, machinist, has by her petition alleged, in effect, that they were lawfully married on the eighth day of January, A.D. 1896, at the said city of Montreal, she then being the widow of John Frederick Lisle, in his lifetime of the said city of Montreal; that the legal domicile of the said Peter Henry Hibbard was then and is now in Canada; that at the city of Quebec, in the province of Quebec, on or about the twenty-seventh day of April, A.D. 1910, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Dame Matilda Emo and Peter Henry Hibbard 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 Dame Matilda Emo may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Peter Henry Hibbard had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL U.

An Act to incorporate Revillon Frères Trading Company, Limited.

Preamble.

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

Incorporation.

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

Corporate name.

Provisional directors.

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

Capital stock.

Calls.

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

Head office.

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

Business and powers.

5. The Company may—

Manufacture and sale of furs, etc.

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

Acquisition of property.

(*b*) purchase or otherwise acquire, hold, lease or otherwise dispose of any real or personal property, rights or privileges

which may be necessary or useful for the carrying on of the business of the Company;

Vessels, buildings, etc.

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

Acquisition of business or property of similar companies.

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

Issue of paid up securities for above purposes.

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

Acquisition, etc., of securities of similar companies,

(*f*) purchase, acquire, hold and own the capital stock, bonds or other securities of any other company, corporation or individual carrying on or engaged in any business which the Company is empowered to carry on or engage in; and acquire, hold, pledge or otherwise dispose of such shares, bonds or other securities notwithstanding the provisions of section 168 of Part II of *The Companies Act*;

R.S., c. 79, s. 168.

Money aid to other corporations.

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

Guarantee of contracts.

guarantee the performance of contracts by any persons or corporations with whom the Company may have business relations

Investment of moneys of Company.

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

Distribution of assets.

(*i*) distribute among the shareholders of the Company in kind any property or assets of the Company, provided that the paid-up capital of the Company is not thereby impaired;

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

Amalgamation.

(*k*) sell, lease, exchange, or otherwise dispose of, in whole or in part, the property, rights or undertakings of the Com pay for such consideration as may be agreed upon, and, in particular,

Disposal of Company's property, etc.

for shares, debentures or securities of any other company having objects similar altogether or in part to those of the Company;

Arrangements with governments and other authorities.

(*l*) enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise that may seem conducive to the Company's objects or any of them; and

obtain from any such government or authority any rights, privileges and concessions which it may be desirable to obtain; and carry out, exercise and comply with, or sell and dispose of any such arrangements, rights, privileges and concessions;

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

6. The Company shall be and is hereby vested with all and every the property and assets, moveable and immoveable, rights, claims, privileges and choses in action situated in any place throughout Canada belonging to or the property of Revillon Brothers Limited, as chartered by Letters Patent of Canada dated June 2nd, 1904, and shall be and is responsible for all the liabilities of the said Revillon Brothers Limited. Property, etc., of Revillon Brothers, Limited, vested in this Company.

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

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

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

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

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

R.S., c. 126. *The Telegraphs Act* shall apply to the telegraph business of the Company;

Consent of municipalities as to telegraph or telephone lines on highways. Nothing in this section contained shall authorize the Company to construct or operate any telegraph or telephone lines 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.

Timber limits. (*d*) The Company may buy, lease, develope and sell timber limits and rights, and in connection therewith build, erect, establish, own and operate saw mills and their accessories and sell and manufacture the product thereof, and also, in connection therewith or otherwise, purchase, lease, develope and sell water-powers and their accessories.

Saw mills.

Water-powers.

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

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

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

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

Deposits of money by employees. (*i*) The Company may receive money on deposit from its employees and servants upon such terms as to interest, security or otherwise as are agreed upon.

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

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

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

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

(*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

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

Description of property and assets transferred.

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

Authority for issue of shares to Revillon Fréres as fully paid, on certain conditions.

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

Qualification of directors. R.S., c. 79, s. 127.

10. The majority of the directors of the Company need not be residents of Canada nor subjects of His Majesty, provided, however, that at least two of such directors shall have these qualifications, and the directors may vote by proxy at meetings of directors.

As to application of R.S., c. 79.

11. Sections 127, 136, 137, 141 and 168 of part II of *The Companies Act* shall not apply to the Company.

SCHEDULE.

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

Missanabie, province of Ontario.
Nepigon "
Ombabika "
Long Lake "
Fort Hope "
Matheson "
Cochrane "
Pointe Bleue, province of Quebec.
Sept Iles "
Bersimis "
Piastre Bay "
Montreal "

North West River, Labrador.
Red Bay "
Ungava. "
Wakeham Bay, Hudson Straits.
Port Harrison, Hudson Bay.
Fort Georges, James Bay.
Rupert "
Moose "
Albany "
Strutton "
Akimiski "
Attawapiskat "
East Main "
English River "
Edmonton, Alberta.
Arthabaska Landing, Alberta.
Lesser Slave Lake "
Sturgeon Lake "
White Fish Lake "
Peace River Crossing "
Spirit River "
Grand Prairie "
Fort St. Johns "
Hay River "
Fort Vermilion "
Wabiscaw "
Trout Lake "
Calling Lake "
Prince Albert, Saskatchewan.
Green Lake, "
Isle a la Grosse "
Buffalo River "
Portage La Loche "
Clear Lake "
The Dipper "
Montreal Lake "
Lake la Ronge "
Stanley "
Souris River "
Cumberland House "
Pelican Narrows "
Pukitawagan "
Lake du Brochet "

Also the following steamers:--

Steamer "Ombabika," 30 tons, on Nepigon Lake, Ontario.
Steamer "Minawa," 150 tons, on Nepigon Lake, Ontario.
Steamer "Emilia," 130 tons, in James Bay.

And Schooner "Annie Geele," 30 tons, in James Bay.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

U

An Act to incorporate Revillon Frères Trading Company, Limited.

Received and read a first time

Wednesday, 15th February, 1911.

Second reading

Friday, 17th February, 1911.

Honourable Mr. BÉIQUE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL U.

AS PASSED BY THE SENATE 24th MARCH, 1911.

An Act to incorporate Révillon Frères Trading Company, Limited.

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

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

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

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

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

5. The Company may— Business and powers.

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

(*b*) purchase or otherwise acquire, hold, lease or otherwise dispose of any real or personal property, rights or privileges Acquisition of property.

which may be necessary or useful for the carrying on of the business of the Company;

Vessels, buildings, etc.

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

Acquisition of business or property of similar companies.

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

Issue of paid up securities for above purposes.

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

Acquisition, etc., of securities of similar companies,

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

Money aid to other corporations.

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

Guarantee of contracts.

guarantee the performance of contracts by any persons or corporations with whom the Company may have business relations;

Investment of moneys of Company.

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

Distribution of assets.

(*i*) distribute among the shareholders of the Company in kind any property or assets of the Company, provided that the paid-up capital of the Company is not thereby impaired;

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

Amalgamation.

(*k*) sell, lease, exchange, or otherwise dispose of, in whole or in part, the property, rights or undertakings of the Company for such consideration as may be agreed upon, and, in particular,

Disposal of Company's property, etc.

for shares, debentures or securities of any other company having objects similar altogether or in part to those of the Company;

Arrangements with governments and other authorities.

(*l*) enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise that may seem conducive to the Company's objects or any of them; and

obtain from any such government or authority any rights, privileges and concessions which it may be desirable to obtain; and carry out, exercise and comply with, or sell and dispose of any such arrangements, rights, privileges and concessions;

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

Powers incidental to the above purposes.

6. The Company shall be and is hereby vested with all and every the property and assets, moveable and immoveable, rights, claims, privileges and choses in action situated in any place throughout Canada belonging to or the property of Révillon Brothers Limited, as chartered by Letters Patent of Canada dated June 2nd, 1904, and shall be and is responsible for all the liabilities of the said Révillon Brothers Limited.

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

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

Cancellation of Letters Patent incorporating Revillon Brothers, Limited.

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

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

Carriage of mails.

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

Vessels.

Wharfinger business.

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

Telegraph and telephone lines.

R.S., c. 37.

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

Rates and charges.

missioners for Canada, which may also revise such rates and charges from time to time;

R.S., c 126 — *The Telegraphs Act* shall apply to the telegraph business of the Company;

Consent of municipalities as to telegraph or telephone lines on highways. — Nothing in this paragraph contained shall authorize the Company to construct or operate any telegraph or telephone lines 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.

Timber limits. Saw mills. — (*d*) The Company may buy, lease, develope and sell timber limits and rights, and in connection therewith build, erect, establish, own and operate saw mills and their accessories and sell and manufacture the product thereof, and also, in connection therewith or otherwise, purchase, lease, develope and sell water-powers and their accessories.

Water-powers.

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

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

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

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

Deposits of money by employees. — (*i*) The Company may receive money on deposit from its employees and servants upon such terms as to interest, security or otherwise as are agreed upon.

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

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

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

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

(*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

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

Description of property and assets transferred.

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

Authority for issue of shares to Revillon Fréres as fully paid, on certain conditions.

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

Qualification of directors. R.S., c. 79, s. 127.

10. The majority of the directors of the Company need not be residents of Canada nor subjects of His Majesty, provided, however, that at least two of such directors shall have these qualifications, and the directors may vote by proxy at meetings of directors.

Repeal.

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

As to application of R.S., c. 79.

12. Sections 127, 136, 137, 141 and 168 of *The Companies Act* shall not apply to the Company.

SCHEDULE.

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

Missanabie, province of Ontario.
Nepigon "
Ombabika "
Long Lake "
Fort Hope "
Matheson "
Cochrane "
Pointe Bleue, province of Quebec.
Sept Iles "
Bersimis "
Piastre Bay "
Montreal "

North West River, Labrador.
Red Bay "
Ungava. "
Wakeham Bay, Hudson Straits.
Port Harrison, Hudson Bay.
Fort Georges, James Bay.
Rupert "
Moose "
Albany "
Strutton "
Akimiski "
Attawapiskat "
East Main "
English River "
Edmonton, Alberta.
Arthabaska Landing, Alberta
Lesser Slave Lake "
Sturgeon Lake "
White Fish Lake "
Peace River Crossing "
Spirit River "
Grand Prairie "
Fort St. Johns "
Hay River "
Fort Vermilion "
Wabiscaw "
Trout Lake "
Calling Lake "
Prince Albert, Saskatchewan.
Green Lake, "
Isle a la Grosse "
Buffalo River "
Portage La Loche "
Clear Lake "
The Dipper "
Montreal Lake "
Lake la Ronge "
Stanley "
Souris River "
Cumberland House "
Pelican Narrows "
Pukitawagan "
Lake du Brochet "

Also the following steamers:--

Steamer "Ombabika," 30 tons, on Nepigon Lake, Ontario.
Steamer "Minawa," 150 tons, on Nepigon Lake, Ontario.
Steamer "Emilia," 130 tons, in James Bay.

And Schooner "Annie Geele," 30 tons, in James Bay.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL V.

An Act respecting a patent of the Goldschmidt Thermit Company.

Preamble.

WHEREAS the Goldschmidt Thermit Company, a body politic and corporate, having its principal office in the city and state of New York, and a branch office and place of business in the city of Toronto, in the province of Ontario, has by its petition represented that it is the owner of patent number 86085, dated 22nd March, 1904, issued under the seal of the Patent Office, for new and useful improvements in a process for joining metal pieces, 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:—

Extension of time for payment of fees.

R.S., c. 69, s. 23.

Power for issue of extension of patent.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patent an application for a certificate of payment of further fees and the usual fees for the second and third terms for the said patent; and may grant and issue to such holder the certificates of payment of further fees, provided for by *The Patent Act*, and extensions of the term of duration of the said patent, in as full and ample a manner as if the application therefor had been duly made within the first sixty years from the date of the issue of the said patent.

Saving of rights acquired.

Proviso.

2. If any person other than any licensee has, in the period between the expiry of six years from the date of the said patent, and the third day of January, 1911, commenced to manufacture, use or sell, in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed: Provided that this exemption shall not extend to any person who, without the consent of the holders of the said patent, has commenced to employ or manufacture the said invention before the expiry of the said patent.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

V

An Act respecting a patent of the Goldschmidt Thermit Company.

Received and read a first time

Thursday, 16th February, 1911.

Second reading

Tuesday, 21st February, 1911.

Honourable Mr. GILLMOR.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL V.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act respecting a patent of the Goldschmidt Thermit Company.

Preamble.

WHEREAS the Goldschmidt Thermit Company, a body politic and corporate, having its principal office in the city and state of New York, and a branch office and place of business in the city of Toronto, in the province of Ontario, has by its petition represented that it is the owner of patent number 86085, dated 22nd March, 1904, issued under the seal of the Patent Office, for new and useful improvements in a process for joining metal pieces, 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:—

Extension of time for payment of fees.

R.S., c. 69, s. 23.

Power for issue of extension of patent.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patent an application for a certificate of payment of further fees and the usual fees for the second and third terms for the said patent; and may grant and issue to such holder the certificates of payment of further fees, provided for by *The Patent Act*, and extensions of the term of duration of the said patent, in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of the issue of the said patent.

Saving of rights acquired.

2. If any person has, in the period between the expiry of six years from the date of the said patent, and the third day of January, 1911, commenced to manufacture, use or sell, in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W.

An Act to correct a clerical error in the title of the French Version of chapter 142 of the statutes of 1910.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1910, c. 142.

1. The French version of chapter 142 of the statutes of 1910, the title of the English version whereof is *An Act to incorporate the Ottawa and Montreal Transmission Company, Limited*, is hereby amended by striking out from the title of the French version the words "Power and." French title made to correspond with English title.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

W

An Act to correct a clerical error in the French Version of chapter 142 of the statutes of 1910.

Received and read a first time

Friday, 17th February, 1911.

Second reading

Wednesday, 22nd February, 1911.

Honourable Mr. BÉIQUE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W.

AS PASSED BY THE SENATE 23rd FEBRUARY, 1911.

An Act to correct a clerical error in the title of the French Version of chapter 142 of the statutes of 1910.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1910, c. 142.

1. The French version of chapter 142 of the statutes of 1910, the title of the English version whereof is *An Act to incorporate the Ottawa and Montreal Transmission Company, Limited,* is hereby amended by striking out from the title of the French version the words "Power and." French title made to correspond with English title.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X.

An Act respecting The Manitoba Radial Railway Company.

Preamble. 1907 c. 105. 1909 c. 103.

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. 1907, c. 105, s. 8. 1909, c. 103, s. 1.

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

Former time limit repealed.

2. Chapter 103 of the statutes of 1909 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-1

THE SENATE OF CANADA.

BILL

X

An Act respecting The Manitoba Radial Railway Company.

Received and read a first time

Tuesday, 21st February, 1911.

Second reading

Thursday, 23rd February, 1911.

Honourable MR. YOUNG.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X.

AS PASSED BY THE SENATE 17th MARCH, 1911.

An Act respecting The Manitoba Radial Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition; Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1907 c. 105. 1909 c. 103.

1. The Manitoba Radial Railway Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not made, or if the said railway is not finished and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction 1907, c. 105, s. 8. 1909, c. 103, s. 1.

2. Chapter 103 of the statutes of 1909 is hereby repealed. Former time limit repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Y.

An Act respecting The Hamilton, Waterloo and Guelph Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1906, c. 106; 1908, c. 118; 1910, c. 108.

1. Of the authorized capital stock of The Hamilton, Waterloo and Guelph Railway Company, an amount not exceeding one million five hundred thousand dollars may be created preference stock by a by-law to be passed in that behalf by the directors and sanctioned and approved by not less than two-thirds of the shareholders of the company, and such by-law may provide for cumulative dividends at a rate not exceeding six per cent per annum accruing from such date as may be fixed therefor. Power to issue preference stock. 1906, c. 106, s. 4. 1910, c. 108, s. 1.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Y

An Act respecting The Hamilton, Waterloo and Guelph Railway Company.

Received and read a first time

Tuesday, 21st February, 1911.

Second reading

Thursday, 23rd February, 1911.

Honourable Mr. Gibson.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Y.

AS PASSED BY THE SENATE 17th MARCH, 1911.

An Act respecting The Hamilton, Waterloo and Guelph Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1906, c. 106; 1908, c. 118; 1910, c. 108.

1. Of the authorized capital stock of The Hamilton, Waterloo and Guelph Railway Company, an amount not exceeding one million five hundred thousand dollars may be created preference stock by a by-law to be passed in that behalf by the directors and sanctioned and approved by not less than two-thirds of the shareholders of the company, and such by-law may provide for cumulative dividends at a rate not exceeding six per cent per annum accruing from such date as may be fixed therefor. Power to issue preference stock. 1906, c. 106, s. 4. 1910, c. 108, s. 1.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Z.

An Act to incorporate The Canadian Surety 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.

Corporate name.

1. George Burn, bank manager, Arthur B. Brodrick, bank manager, Charles E. Read, lumberman, Thomas Mackarell, lumberman, Wilson Southam, publisher, James W. Woods, manufacturer, Harry S. Southam, publisher, William Louis Scott, barrister, George David Kelley, barrister, 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 Canadian Surety Company", hereinafter called "the Company".

Provisional directors.

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

Capital stock.

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

Subscription before general meeting.

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

Head office.

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

Business authorized.

1910, c. 32.

6. The Company may carry on the business of:—

(*a*) guarantee insurance as defined in *The Insurance Act*, 1910;

(*b*) plate glass insurance, including insurance against the loss or damage by breakage or otherwise of plate or other glass, either local or in transit;

(*c*) burglary insurance as defined in *The Insurance Act*, 1910.

Subscription and payment before commencing business.

7. The Company shall not commence the business of guarantee, plate glass and burglary insurance authorized by this Act, until two hundred and twenty-five thousand dollars of the capital stock have been subscribed and one hundred thousand dollars have been paid in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

2. The Company may commence the business of guarantee insurance when one hundred and fifty thousand dollars of the capital stock have been subscribed and sixty thousand dollars have been paid in cash into the funds of the Company to be so appropriated.

3. The Company may commence the business of guarantee insurance and plate glass insurance when one hundred and seventy-five thousand dollars of the capital stock have been subscribed and seventy thousand dollars have been paid in cash into the funds of the Company to be so appropriated.

4. The Company may commence the business of guarantee and burglary insurance when two hundred thousand dollars of the capital stock have been subscribed and ninety thousand dollars have been paid in cash into the funds of the Company to be so appropriated.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Z

An Act to incorporate The Canadian Surety Company.

Received and read a first time

Thursday, 23rd February, 1911.

Second reading,

Wednesday, 8th March, 1911.

Honourable Mr. Scott.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Z.

AS PASSED BY THE SENATE 17th MARCH, 1911.

An Act to incorporate The Canadian Surety 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. George Burn, bank manager, Arthur B. Brodrick, bank manager, Charles E. Read, lumberman, Thomas Mackarell, lumberman, Wilson Southam, publisher, James W. Woods, manufacturer, Harry S. Southam, publisher, William Louis Scott, barrister, George David Kelley, barrister, 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 Canadian Surety Company", hereinafter called "the Company".

Corporate name.

Provisional directors.

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

Capital stock.

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

Subscription before general meeting.

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

Head office.

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

Business authorized.

6. The Company may carry on the business of:—

(*a*) guarantee insurance as defined in *The Insurance Act*, 1910; 1910, c. 32.

(*b*) plate glass insurance, including insurance against the loss or damage by breakage or otherwise of plate or other glass, either local or in transit;

(*c*) burglary insurance as defined in *The Insurance Act*, 1910.

Subscription and payment before commencing business.

7. The Company shall not commence the business of guarantee, plate glass and burglary insurance authorized by this Act, until two hundred and twenty-five thousand dollars of the capital stock have been subscribed and one hundred thousand dollars have been paid thereon.

2. The Company may commence the business of guarantee insurance when one hundred and fifty thousand dollars of the capital stock have been subscribed and sixty thousand dollars have been paid thereon.

3. The Company may commence the business of guarantee insurance and plate glass insurance when one hundred and seventy-five thousand dollars of the capital stock have been subscribed and seventy thousand dollars have been paid thereon.

4. The Company may commence the business of guarantee and burglary insurance when two hundred thousand dollars of the capital stock have been subscribed and ninety thousand dollars have been paid thereon.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A1.

An Act to incorporate The Restigouche Riparian Association.

Preamble.

WHEREAS an unincorporated association consisting of corporations, private associations and individuals in the provinces of Quebec and New Brunswick, owning, leasing or interested in riparian rights and fishing privileges upon and appertaining to the Restigouche and Matapedia rivers and their tributaries in the provinces of Quebec and New Brunswick, has been in existence for some time for purposes similar to those hereinafter set forth; and whereas the said association desires to become incorporated with power to secure in the provinces of New Brunswick and Quebec the perpetuation of the Restigouche and Matapedia rivers and their tributaries as salmon streams; and to encourage and promote the propagation, both natural and artificial, of the Atlantic salmon; and upon their invitation to support the public authorities of the Dominion and Provincial Governments in the proper development of salmon fishing as an industry; and to secure in the provinces of New Brunswick and Quebec a strict and impartial enforcement of the fish and game laws; and to provide a medium of mutual co-operation throughout the Dominion of Canada between owners and lessees of riparian rights and fishing privileges, and any others interested therein, whereby such action or proceedings may be taken as may be necessary to protect fish and game and otherwise to induce or to secure obedience to and respect for such laws and their enforcement; and for such other objects and purposes within the jurisdiction of the parliament of Canada as may be necessary and useful for any of the above purposes; and whereas the following persons, who are individual members of the said association or represent private associations and corporations who are members thereof, namely: Harry Stikeman, banker; William Molson Macpherson, banker; Sir Hugh Montagu Allan, C.V.O., steamship owner; Charles Meredith, broker; Isaac Henry Stearns, treasurer of the Chamberlain Shoals Fish and Game Club; Henry Vincent Meredith, banker; Richard Bladworth Angus, gentleman; James Ross, gentleman;

all of the city of Montreal in the province of Quebec, Canada; and George G. de Witt, secretary of the Ristigouche Salmon Club; John Howard Wainwright, secretary of the Matamajaw Salmon Club; Dean Sage, lawyer; William P. Clyde, steamship owner; Frank S. Hall, lawyer; Charles G. Peters, retired banker; Samuel Bettle, engineer; Howard Willets, merchant; Jules S. Ehrich, merchant; all of New York in the state of New York, one of the United States of America; have by their petition prayed that it may 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:

Incorporation.

1. The persons mentioned in the preamble to this Act and all other members of the said present unincorporated association, together with such other persons and private associations and corporations as become members of the corporation hereby created, are hereby constituted a corporation under the name of "The Restigouche Riparian Association," hereinafter called "the Association," for the purposes and objects set forth in the preamble to this Act and in the schedule thereto as from time to time amended in accordance with this Act.

Corporate name.

Constitution.

Changes thereof.

2. The Association shall be governed as provided by its constitution which is set forth in the schedule to this Act, which constitution may from time to time be amended by the Association in any manner not inconsistent with the provisions of this Act or otherwise contrary to law.

Rules and by-laws.

3. The Association may from time to time make, alter or repeal as it may see fit, rules and by-laws for:—

Management.

(*a*) The administration, management and control of the property, business and other affairs of the Association;

Membership.

Dues.

(*b*) The qualification, classification and other conditions of membership and of representation in the Association, the admission and explusion of members, and the fees, dues and assessments that it may be deemed advisable to impose from time to time;

Officers.

(*c*) The election and appointment of officers, and the duties and remuneration of all officers, agents and servants of the Association;

Committees.

(*d*) The appointment of an executive committee and of other committees and their duties;

Meetings.

(*e*) The calling of meetings, regular or special, of the Association or of committees;

Quorum.

(*f*) The fixing of the necessary quorum and procedure in all things at such meetings;

(*g*) The establishment of the procedure necessary for amending the constitution of the Association; Procedure for amending constitution.

(*h*) Generally, for the carrying out of the objects and purposes of the Association and the regulating of every matter and thing proper and useful to be done for the good of the Association. Seal. General.

4. The head office of the Association shall be in the village of Matapedia in the county of Bonaventure in the province of Quebec. Head office.

5. Subject to provincial laws, the Association may,— Power to hold and deal with real property.

(*a*) acquire and hold by gift, purchase or lease such real property, not exceeding in the aggregate the value of one hundred thousand dollars, as may be required for its actual use and occupation and for the carrying out of its objects, and may sell, lease, mortgage or otherwise dispose of and deal with the same; and,

(*b*) have and enjoy all such other powers as may be necessary or useful for the carrying out of the purposes and objects provided for in this Act. Powers for purposes of Act.

6. The Association shall have power upon a vote of not less than two-thirds of its members to,— Borrowing powers.

(*a*) borrow money upon the credit of the Association;

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

(*c*) issue bonds, debentures or other securities of the Association for sums not less than one hundred dollars each and pledge or sell the same for such sums and at such prices as may be deemed expedient;

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

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

7. Within six months from the passing of this Act the secretary of the Association shall enter and shall certify under his signature in a register to be kept for that purpose the constitution of the Association and the then existing rules and by-laws of the Association, and thereafter shall enter and shall so certify in such register all changes in such constitution and all rules, by-laws and amendments thereof which may be made; and a copy, certified by the signature of the secretary, of any such Register of constitution rules and by-laws.

Evidence. entry in the said register shall, in all matters within the legislative authority of the Parliament of Canada, be *prima facie* evidence of the tenor thereof in all courts of law and equity in Canada.

SCHEDULE.

THE RIPARIAN ASSOCIATION OF THE RISTIGOUCHE RIVER.

NAME.

The association organized by these articles is the Riparian Association of the Ristigouche river.

OBJECTS.

The objects for which the association is organized are: *First:* To secure the perpetuation of the Ristigouche and Matapedia rivers and their tributaries as sa mon fishing streams; *Second:* To encourage and promote the propagation both natural and artificial of the Atlantic salmon and, upon their invitation to support the public authorities in the proper development of salmon fishing as an industry; *Third:* To secure a strict and impartial enforcement of the fish and game laws and to provide a medium of mutual co-operation whereby action or proceedings may be taken as may be necessary to protect fish and game or otherwise in the interests of its members individually or collectively.

MEMBERS.

The members of this association are owners and lessees of riparian rights and fishing privileges situated upon and pertaining to the Ristigouche and Matapedia rivers and their tributaries in the provinces of Quebec and New Brunswick, Dominion of Canada.

REPRESENTATION.

The representation of its members in the affairs of this association is based as follows: If an incorporated club, upon the number of its members; otherwise upon the number of rods for which the water owned or controlled by a member will provide fishing.

OFFICERS.

The officers of the association are a president, a secretary and a treasurer, whose duties are those usually pertaining to their respective offices. The offices of secretary and treasurer may be held by one person.

MANAGEMENT.

The affairs of this association are managed and controlled by an executive committee consisting of the president, secretary and three other persons elected from among its members. The officers and executive committee are elected at the annual meeting of the association and hold office for one year or until their successors are elected.

MEETINGS.

The annual meeting of this association is held during the month of January at such time and place as may be determined by the executive committee. Other meetings are called by the president of the executive committee when deemed necessary.

EXPENSES.

The expenses of the association are provided for by assessments levied upon the members in proportion to their representation, the amount of such assessments being determined by the executive committee.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

A1

An Act to incorporate The Restigouche Riparian Association.

Received and read a first time

Thursday, 23rd February, 1911.

Second reading

Wednesday, 8th March, 1911.

Honourable Mr. Casgrain.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

FIRST REPRINT.

REPRINTED IN ACCORDANCE WITH THE DIRECTIONS GIVEN ON 23rd MARCH BY THE SENATE COMMITTEE ON RAILWAYS, TELEGRAPHS AND HARBOURS.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A1.

An Act to incorporate The Restigouche Riparian Association.

Preamble.

WHEREAS an unincorporated Association consisting of corporations, private associations and individuals in the provinces of Quebec and New Brunswick, owning, leasing or interested in riparian rights and fishing privileges upon and appertaining to the Restigouche and Matapedia rivers and their tributaries in the provinces of Quebec and New Brunswick, has been in existence for some time; and whereas the said association desires to become incorporated for the purposes hereinafter set forth; and whereas the following persons, who are individual members of the said Association or represent private associations and corporations which are members thereof, namely: Harry Stikeman, banker; William Molson Macpherson, banker; Sir Hugh Montagu Allan, C.V.O., steamship owner; Charles Meredith, broker; Isaac Henry Stearns, treasurer of the Chamberlain Shoals Fish and Game Club; Henry Vincent Meredith, banker; Richard Bladworth Angus, gentleman; James Ross, gentleman; all of the city of Montreal in the province of Quebec, Canada; and George G. de Witt, secretary of the Ristigouche Salmon Club; John Howard Wainwright, secretary of the Matamajaw Salmon Club; Dean Sage, lawyer; William P. Clyde, steamship owner; Frank S. Hall, lawyer; Charles G. Peters, retired banker; Samuel Bettle, engineer; Howard Willets, merchant; Jules S. Ehrich, merchant; all of New York in the state of New York, one of the United States of America; have by their petition prayed that it may be enacted as hereinafter set forth; and whereas it is expedient to grant the prayer of the said peti-

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

Incorporation.

1. The persons mentioned by name in the preamble to this Act, and all persons, other than corporations, who are at the date of the passing of this Act members of the unincorporated Association referred to in the preamble to this Act, and all such persons as thereafter, under the provisions of this Act, become members of the corporation hereby constituted, are hereby constituted a corporation under the name of "The Restigouche Riparian Association", hereinafter called "the Association".

Corporate name.

Corporate purposes.

2. The purposes of the Association shall be to promote and assist—

(*a*) the perpetuation of the Restigouche and Matapedia Rivers as salmon streams;

(*b*) the propagation by both natural and artificial means, of Atlantic Salmon in those waters; and, if so deemed expedient by the Association, in any other waters in Canada;

(*c*) the strict and impartial enforcement of the fishery laws of Canada, and of the fish and game laws of the provinces of Quebec and New Brunswick;

(*d*) efforts made anywhere in Canada by owners or lessees of riparian rights or fishing privileges, or by any other persons interested, to induce obedience to and respect for the laws mentioned in paragraph (*c*) of this section.

Constitution.

3. The constitution of the said unincorporated Association, which constitution is set forth in the schedule to this Act, shall, except in so far as it is inconsistent with this Act, be the constitution of the Association.

Power of amendment.

2. The Association may, from time to time, amend its constitution in any manner not inconsistent with this Act or otherwise contrary to law.

Rules and by-laws.

4. The Association may from time to time make by-laws, not contrary to law or to the provisions of this Act, for—

Management.

(*a*) The administration, management and control of the property, business and other affairs of the Association;

Membership.

(*b*) The qualification, classification and other conditions of membership and of representation in the Association, the

Dues.

admission and explusion of members, and the fees, dues and assessments that it may be deemed advisable to impose from time to time; but no corporate body shall be a member of the Association;

Officers.

(*c*) The election and appointment of officers, and the duties and remuneration of all officers, agents and servants of the Association;

(*d*) The appointment of an executive committee and of other committees and their duties; Committees.

(*e*) The calling of meetings, regular or special, of the Association or of committees; Meetings.

(*f*) The fixing of the necessary quorum and procedure in all things at such meetings; Quorum.

(*g*) The establishment of the procedure necessary for amending the constitution of the Association; Procedure for amending constitution.

(*h*) Generally, for the carrying out of the purposes of the Association and the regulating of every matter and thing proper and useful to be done for the good of the Association. Seal. General.

5. The head office of the Association shall be in the village of Matapedia in the county of Bonaventure in the province of Quebec. Head office.

6. Subject to provincial laws, the Association may acquire by gift, purchase or lease such real property, not exceeding in the aggregate the value of one hundred thousand dollars, as may be required for its actual use and occupation and for the carrying out its purposes, and may hold, use, manage, sell, lease, mortgage or otherwise dispose of the same. Power to hold and deal with real property.

7. The Association shall have power upon a vote of not less than two-thirds of its members to,— Borrowing powers.

(*a*) borrow money upon the credit of the Association;

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

(*c*) issue bonds, debentures or other securities of the Association for sums not less than one hundred dollars each and pledge or sell the same for such sums and at such prices as may be deemed expedient;

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

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

8. Within six months after the passing of this Act the Association shall cause to be entered in a register to be kept for that purpose at the head office of the Association, and to be certified therein by the signature of the secretary of the Association, the then existing constitution and by-laws of the Association, and a list of the members of the Association, giving the full name, occupation, and post office address of each member. Register of constitution, by-laws and members of Association.

2. Thereafter the Association shall cause to be entered in the said register and to be so certified forthwith, all changes Entry of changes.

made in the constitution or in the by-laws, all new by-laws made, and all changes in the list of members or in the details thereof hereinabove required.

Deposit of copy with Dominion and Provincial authories.

3. When the register is first made the Association shall forthwith deposit a certified copy thereof in the offices of the Secretary of State of Canada, the Provincial Secretary of the Province of Quebec and the Provincial Secretary of the Province of New Brunswick, respectively. These copies shall be certified under the seal of the Corporation and the signature of the presiding officer or of the secretary of the Association.

Deposit of copy showing changes.

4. On or before the first day of March in every year, the Association shall deposit in each of the said offices a copy so certified of the said register containing all such changes as are mentioned in subsection 2 of this section which have been made up to the thirty-first day of December next preceding.

Penalty.

5. For any failure or neglect to comply with the foregoing requirements of this section the Association shall be liable, on summary conviction thereof, to a fine not exceeding fifty dollars.

Existing rights saved.

9. Nothing contained in this Act shall be construed as intended to take away, or impair in any manner whatsoever, any right, duty, power, privilege, obligation or liability of any authority or person, with regard to the rivers Restigouche and Matapedia or any waters tributary to either of those rivers.

SCHEDULE.

THE RIPARIAN ASSOCIATION OF THE RISTIGOUCHE RIVER.

NAME.

The association organized by these articles is the Riparian Association of the Ristigouche river.

OBJECTS.

The objects for which the association is organized are: *First:* To secure the perpetuation of the Ristigouche and Matapedia rivers and their tributaries as salmon fishing streams; *Second:* To encourage and promote the propagation both natural and artificial of the Atlantic salmon and, upon their invitation to support the public authorities in the proper development of salmon fishing as an industry; *Third:* To secure a strict and impartial enforcement of the fish and game laws and to provide a medium of mutual co-operation whereby action or proceedings may be taken as may be necessary to protect fish and game or otherwise in the interests of its members individually or collectively.

MEMBERS.

The members of this association are owners and lessees of riparian rights and fishing privileges situated upon and pertaining to the Ristigouche and Matapedia rivers and their tributaries in the provinces of Quebec and New Brunswick, Dominion of Canada.

REPRESENTATION.

The representation of its members in the affairs of this association is based as follows: If an incorporated club, upon the number of its members; otherwise upon the number of rods for which the water owned or controlled by a member will provide fishing.

OFFICERS.

The officers of the association are a president, a secretary and a treasurer, whose duties are those usually pertaining to their respective offices. The offices of secretary and treasurer may be held by one person.

MANAGEMENT.

The affairs of this association are managed and controlled by an executive committee consisting of the president, secretary and three other persons elected from among its members. The officers and executive committee are elected at the annual meeting of the association and hold office for one year or until their successors are elected.

MEETINGS.

The annual meeting of this association is held during the month of January at such time and place as may be determined by the executive committee. Other meetings are called by the president of the executive committee when deemed necessary.

EXPENSES.

The expenses of the association are provided for by assessments levied upon the members in proportion to their representation, the amount of such assessments being determined by the executive committee.

FIRST REPRINT.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

A_1

An Act to incorporate The Restigouche Riparian Association.

REPRINTED IN ACCORDANCE WITH THE DIRECTIONS GIVEN ON 23rd MARCH BY THE SENATE COMMITTEE ON BANKING AND COMMERCE.

Honourable Mr. Casgrain.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Restigouche Riparian Association.

Preamble.

WHEREAS an unincorporated Association consisting of corporations, private associations and individuals in the provinces of Quebec and New Brunswick, owning, leasing or interested in riparian rights and fishing privileges upon and appertaining to the Restigouche and Matapedia rivers and their tributaries in the provinces of Quebec and New Brunswick, has been in existence for some time; and whereas the said association desires to become incorporated for the purposes hereinafter set forth; and whereas the following persons, who are individual members of the said Association or represent private associations and corporations which are members thereof, namely: Harry Stikeman, banker; William Molson Macpherson, banker; Sir Hugh Montagu Allan, C.V.O., steamship owner; Charles Meredith, broker; Isaac Henry Stearns, treasurer of the Chamberlain Shoals Fish and Game Club; Henry Vincent Meredith, banker; Richard Bladworth Angus, gentleman; James Ross, gentleman; all of the city of Montreal in the province of Quebec, Canada; and George G. de Witt, secretary of the Restigouche Salmon Club; John Howard Wainwright, secretary of the Matamajaw Salmon Club; Dean Sage, lawyer; William P. Clyde, steamship owner; Frank S. Hall, lawyer; Charles G. Peters, retired banker; Samuel Bettle, engineer; Howard Willets, merchant; Jules S. Ehrich, merchant; all of New York in the state of New York, one of the United States of America; have by their petition prayed that it may 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:

Incorporation.

1. The persons mentioned by name in the preamble to this Act, and all persons, other than corporations, who are at the date

of the passing of this Act members of the unincorporated Association referred to in the preamble to this Act, and all such persons as thereafter, under the provisions of this Act, become members of the corporation hereby constituted, are hereby constituted a corporation under the name of "The Restigouche Riparian Association", hereinafter called "the Association".

Corporate name.

Corporate purposes.

2. The purposes of the Association shall be to promote and assist—

(*a*) the perpetuation of the Restigouche and Matapedia Rivers as salmon streams;

(*b*) the propagation by both natural and artificial means, of Atlantic Salmon in those waters; and, if so deemed expedient by the Association, in any other waters in Canada.

Constitution.

3. The constitution of the said unincorporated association is set forth in the schedule to this Act. The description of the objects of the said unincorporated association as set forth in the second paragraph of the schedule to this Act, is replaced by section 2 of this Act. The said constitution as set forth in the said schedule shall otherwise be the constitution of the Association, except in so far as it is inconsistent with this Act.

Power of amendment.

2. The Association may, from time to time, amend its constitution in any manner not inconsistent with this Act or otherwise contrary to law.

Rules and by-laws.

4. The Association may from time to time make by-laws, not contrary to law or to the provisions of this Act, for—

Management.

(*a*) The administration, management and control of the property, business and other affairs of the Association;

Membership.

(*b*) The qualification, classification and other conditions of membership and of representation in the Association, the admission and expulsion of members, and the fees, dues and assessments that it may be deemed advisable to impose from time to time; but no corporate body shall be a member of the Association;

Dues.

Officers.

(*c*) The election and appointment of officers, and the duties and remuneration of all officers, agents and servants of the Association;

Committees.

(*d*) The appointment of an executive committee and of other committees and their duties;

Meetings.

(*e*) The calling of meetings, regular or special, of the Association or of committees;

Quorum.

(*f*) The fixing of the necessary quorum and procedure in all things at such meetings;

Procedure for amending constitution.

(*g*) The establishment of the procedure necessary for amending the constitution of the Association;

Seal.

General.

(*h*) Generally, for the carrying out of the purposes of the Association and the regulating of every matter and thing proper and useful to be done for the good of the Association.

5. The head office of the Association shall be in the village of Matapedia in the county of Bonaventure in the province of Quebec. Head office.

6. Subject to provincial laws, the Association may acquire by gift, purchase or lease such real property, not exceeding in the aggregate the value of one hundred thousand dollars, as may be required for its actual use and occupation and for the carrying out its purposes, and may hold, use, manage, sell, lease, mortgage or otherwise dispose of the same. Power to hold and deal with real property.

7. The Association shall have power upon a vote of not less than two-thirds of its members to,— Borrowing powers.

(*a*) borrow money upon the credit of the Association;

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

(*c*) issue bonds, debentures or other securities of the Association for sums not less than one hundred dollars each and pledge or sell the same for such sums and at such prices as may be deemed expedient;

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

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

8. Within six months after the passing of this Act the Association shall cause to be entered in a register to be kept for that purpose at the head office of the Association, and to be certified therein by the signature of the secretary of the Association, the then existing constitution and by-laws of the Association, and a list of the members of the Association, giving the full name, occupation, and post office address of each member. Register of constitution by-laws and members of Association.

2. Thereafter the Association shall cause to be entered in the said register and to be so certified forthwith, all changes made in the constitution or in the by-laws, all new by-laws made, and all changes in the list of members or in the details thereof hereinabove required. Entry of changes.

3. When the register is first made the Association shall forthwith deposit a certified copy thereof in the offices of the Secretary of State of Canada, the Provincial Secretary of the Province of Quebec and the Provincial Secretary of the Province of New Brunswick, respectively. These copies shall be certified under the seal of the Association and the signature of the presiding officer or of the secretary of the Association. Deposit of copy with Dominion and Provincial authorities.

4. On or before the first day of March in every year, the Association shall deposit in each of the said offices a copy so certified of the said register containing all such changes as are Deposit of copy showing changes.

mentioned in subsection 2 of this section which have been made up to the thirty-first day of December next preceding.

Penalty.

5. For any failure or neglect to comply with the foregoing requirements of this section the Association shall be liable, on summary conviction thereof, to a fine not exceeding fifty dollars.

Existing rights saved.

9. Nothing contained in this Act shall be construed as intended to take away, or impair in any manner whatsoever, any right, duty, power, privilege, obligation or liability of any authority or person, with regard to the rivers Restigouche and Matapedia or any waters tributary to either of those rivers.

SCHEDULE.

THE RIPARIAN ASSOCIATION OF THE RESTIGOUCHE RIVER.

NAME.

The association organized by these articles is the Riparian Association of the Restigouche river.

OBJECTS.

The objects for which the association is organized are: *First:* To secure the perpetuation of the Restigouche and Matapedia rivers and their tributaries as salmon fishing streams; *Second:* To encourage and promote the propagation both natural and artificial of the Atlantic salmon and, upon their invitation to support the public authorities in the proper development of salmon fishing as an industry; *Third* To secure a strict and impartial enforcement of the fish and game laws and to provide a medium of mutual co-operation whereby action or proceedings may be taken as may be necessary to protect fish and game or otherwise in the interests of its members individually or collectively.

MEMBERS.

The members of this association are owners and lessees of riparian rights and fishing privileges situated upon and pertaining to the Restigouche and Matapedia rivers and their tributaries in the provinces of Quebec and New Brunswick, Dominion of Canada.

REPRESENTATION.

The representation of its members in the affairs of this association is based as follows: If an incorporated club, upon the number of its members; otherwise upon the number of rods for

which the water owned or controlled by a member will provide fishing.

OFFICERS.

The officers of the association are a president, a secretary and a treasurer, whose duties are those usually pertaining to their respective offices. The offices of secretary and treasurer may be held by one person.

MANAGEMENT.

The affairs of this association are managed and controlled by an executive committee consisting of the president, secretary and three other persons elected from among its members. The officers and executive committee are elected at the annual meeting of the association and hold office for one year or until their successors are elected.

MEETINGS.

The annual meeting of this association is held during the month of January at such time and place as may be determined by the executive committee. Other meetings are called by the president of the executive committee when deemed necessary.

EXPENSES.

The expenses of the association are provided for by assessments levied upon the members in proportion to their representation, the amount of such assessments being determined by the executive committee.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B1.

An Act for the relief of Maggie Florence Sadler.

Preamble.

WHEREAS Maggie Florence Saddler, presently residing at the city of Toronto, in the province of Ontario, wife of Walter Alan Sadler, formerly of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the tenth day of November, A.D. 1905, at the said city of Toronto, she then being Maggie Florence Baird, spinster; that the legal domicile of the said Walter Alan Sadler was then and is now in Canada; that at the city of Toronto, in the province of Ontario, and at the city of Detroit, in the state of Michigan, one of the United States of America, on divers occasions in the year A.D. 1910, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Maggie Florence Baird and Walter Alan Sadler, 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 Maggie Florence Baird may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Walter Alan Sadler had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA

BILL

B_1

An Act for the relief of Maggie Florence Sadler.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. DAVIS.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of Maggie Florence Sadler.

Preamble.

WHEREAS Maggie Florence Sadler, presently residing at the city of Toronto, in the province of Ontario, wife of Walter Alan Sadler, formerly of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the tenth day of November, A.D. 1905, at the said city of Toronto, she then being Maggie Florence Baird, spinster; that the legal domicile of the said Walter Alan Sadler was then and is now in Canada; that at the city of Toronto, in the province of Ontario, and at the city of Detroit, in the state of Michigan, one of the United States of America, on divers occasions in the year A.D. 1910, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Maggie Florence Baird and Walter Alan Sadler, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and puproses whatsoever.

Right to marry again.

2. The said Maggie Florence Baird may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Walter Alan Sadler had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL C1.

An Act for the relief of Gertrude Maud Grant.

Preamble.

WHEREAS Gertrude Maud Grant, presently residing at the city of Winnipeg, in the province of Manitoba, wife of Arthur Grant, of the said city of Winnipeg, cabinet maker, has by her petition alleged, in effect, that they were lawfully married on the thirty-first day of August, A.D. 1905, at the city of Birmingham, England, she then being Gertrude Maud Griffin, spinster; that the legal domicile of the said Arthur Grant was then in England and is now in Canada; that at the city of Winnipeg, in the province of Manitoba, in the months of July and September, A.D. 1910, he frequented houses of ill-fame, and on the sixth day of September, A.D. 1910, at the said city of Winnipeg, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Gertrude Maud Griffin and Arthur Grant 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 Gertrude Maud Griffin may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Grant had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA

BILL

C_1

An Act for the relief of Gertrude Maud Grant.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL C1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of Gertrude Maud Grant.

Preamble.

WHEREAS Gertrude Maud Grant, presently residing at the city of Winnipeg, in the province of Manitoba, wife of Arthur Grant, of the said city of Winnipeg, cabinet maker, has by her petition alleged, in effect, that they were lawfully married on the thirty-first day of August, A.D. 1905, at the city of Birmingham, England, she then being Gertrude Maud Griffin, spinster; that the legal domicile of the said Arthur Grant was then in England and is now in Canada; that at the city of Winnipeg, in the province of Manitoba, in the months of July and September, A.D. 1910, he frequented houses of ill-fame, and on the sixth day of September, A.D. 1910, at the said city of Winnipeg, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Gertrude Maud Griffin and Arthur Grant 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 Gertrude Maud Griffin may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Grant had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL D1.

An Act for the relief of George Addison Brown.

Preamble.

WHEREAS George Addison Brown of the town of Port Hope, in the province of Ontario, gentleman, has by his petition alleged, in effect, that on the eleventh day of April, A.D. 1905, at the city of Toronto, in the province of Ontario, he was lawfully married to Margaret Eastwood; that she was then of Hall's Bridge, in the county of Peterborough, in the said province, a spinster; that his legal domicile was then and is now in Canada; that at the city of Toronto, in the said province, on or about the thirtieth day of April, A.D. 1910, she committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage betweed George Addison Brown and Margaret Eastwood, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said George Addison Brown may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Margaret Eastwood had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

D_1

An Act for the relief of George Addison Brown.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session. 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL D1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of George Addison Brown.

Preamble.

WHEREAS George Addison Brown of the town of Port Hope, in the province of Ontario, gentleman, has by his petition alleged, in effect, that on the eleventh day of April, A.D. 1905, at the city of Toronto, in the province of Ontario, he was lawfully married to Margaret Eastwood; that she was then of Hall's Bridge, in the county of Peterborough, in the said province, a spinster; that his legal domicile was then and is now in Canada; that at the city of Toronto, in the said province, on or about the thirtieth day of April, A.D. 1910, she committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage betweed George Addison Brown and Margaret Eastwood, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said George Addison Brown may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Margaret Eastwood had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL E1.

An Act for the relief of Mary Hamilton Johnston.

Preamble.

WHEREAS Mary Hamilton Johnston, presently residing at the city of Toronto, in the province of Ontario, wife of Gilbert Garfield Johnston, of the city of Montreal, in the province of Quebec, salesman, has by her petition alleged, in effect, that they were lawfully married on the twenty-third day of August, A.D. 1901, at the said city of Montreal, she then being Mary Hamilton Bowen, spinster; that the legal domicile of the said Gilbert Garfield Johnston was then and is now in Canada; that at the city of Toronto, in the province of Ontario, in or about the month of June, A.D. 1902, on divers occasions he frequented a house of ill-fame and there committed adultery; that at divers times in the latter part of the year A.D. 1902 and the first part of the year A.D. 1903, he committed adultery with one Ethel Stone; that in the latter part of the year A.D. 1906, he committed adultery at a house of ill-fame in the city of Hamilton, in the province of Ontario; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mary Hamilton Bowen and Gilbert Garfield Johnston, 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 Mary Hamilton Bowen may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Gilbert Garfield Johnston had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

E[1]

An Act for the relief of Mary Hamilton Johnston.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. Derbyshire.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL E1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of Mary Hamilton Johnston.

Preamble.

WHEREAS Mary Hamilton Johnston, presently residing at the city of Toronto, in the province of Ontario, wife of Gilbert Garfield Johnston, of the city of Montreal, in the province of Quebec, salesman, has by her petition alleged, in effect, that they were lawfully married on the twenty-third day of August, A.D. 1901, at the said city of Montreal, she then being Mary Hamilton Bowen, spinster; that the legal domicile of the said Gilbert Garfield Johnston was then and is now in Canada; that at the city of Toronto, in the province of Ontario, in or about the month of June, A.D. 1902, on divers occasions he frequented a house of ill-fame and there committed adultery; that at divers times in the latter part of the year A.D. 1902 and the first part of the year A.D. 1903, he committed adultery with one Ethel Stone; that in the latter part of the year A.D. 1906, he committed adultery at a house of ill-fame in the city of Hamilton, in the province of Ontario; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mary Hamilton Bowen and Gilbert Garfield Johnston, 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 Mary Hamilton Bowen may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Gilbert Garfield Johnston had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL F1.

An Act for the relief of Dalton Mabel Stapleton.

Preamble.

WHEREAS Dalton Mabel Stapleton, presently residing at the city of Toronto, in the province of Ontario, wife of Henry Conger Stapleton, of the city of Peterborough, in the province of Ontario, stableman, has by her petition alleged, in effect, that they were lawfully married on the twenty-third day of November, A.D. 1882, at the village of Lakefield, in the province of Ontario, she then being Dalton Mabel Ullyot, spinster; that the legal domicile of the said Henry Conger Stapleton was then and is now in Canada; that at various times from the year A.D. 1890 to the year A.D. 1896, at the said city of Peterborough, he committed adultery with divers women whose names are unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Dalton Mabel Ullyot and Henry Conger Stapleton, 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 Dalton Mabel Ullyot may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Conger Stapleton had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

F1

An Act for the relief of Dalton Mabel Stapleton.

Received and read a first time,

Friday, 24th February, 1911.

Second reading,

Thursday, 9th March, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL F1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of Dalton Mabel Stapleton.

Preamble.

WHEREAS Dalton Mabel Stapleton, presently residing at the city of Toronto, in the province of Ontario, wife of Henry Conger Stapleton, of the city of Peterborough, in the province of Ontario, stableman, has by her petition alleged, in effect, that they were lawfully married on the twenty-third day of November, A.D. 1882, at the village of Lakefield, in the province of Ontario, she then being Dalton Mabel Ullyot, spinster; that the legal domicile of the said Henry Conger Stapleton was then and is now in Canada; that at various times from the year A.D. 1890 to the year A.D. 1896, at the said city of Peterborough, he committed adultery with divers women whose names are unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Dalton Mabel Ullyot and Henry Conger Stapleton, 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 Dalton Mabel Ullyot may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Conger Stapleton had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL G1.

An Act for the relief of Lorne Forbes Robertson.

Preamble.

WHEREAS Lorne Forbes Robertson, of the city of Stratford, in the province of Ontario, physician, has by his petition alleged, in effect, that on the twenty eighth day of May, A.D. 1907, at the city of London, England, he was lawfully married to Elizabeth Louise Wilcox; that she was then of the said city of London, a spinster; that his legal domicile was then and is now in Canada; that at the city of London, England, between the thirteenth and the twentieth days of March, A.D. 1910, she committed adultery with one Paul Prado; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Lorne Forbes Robertson and Elizabeth Louise Wilcox, 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 Lorne Forbes Robertson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Elizabeth Louise Wilcox had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

G1

An Act for the relief of Lorne Forbes Robertson.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable MR. WATSON.

OTTAWA
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3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL G1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of Lorne Forbes Robertson.

Preamble.

WHEREAS Lorne Forbes Robertson, of the city of Stratford, in the province of Ontario, physician, has by his petition alleged, in effect, that on the twenty eighth day of May, A.D. 1907, at the city of London, England, he was lawfully married to Elizabeth Louise Wilcox; that she was then of the said city of London, a spinster; that his legal domicile was then and is now in Canada; that at the city of London, England, between the thirteenth and the twentieth days of March, A.D. 1910, she committed adultery with one Paul Prado; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Lorne Forbes Robertson and Elizabeth Louise Wilcox, 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 Lorne Forbes Robertson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Elizabeth Louise Wilcox had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL H1.

An Act for the relief of Cecil Ernest Freeman.

Preamble.

WHEREAS Cecil Ernest Freeman, of the town of Eglinton, in the province of Ontario, coachman, has by his petition alleged, in effect, that on the thirtieth day of July, A.D. 1907, at the city of Toronto, province of Ontario, he was lawfully married to Rose Mary Barker; that she was then of the city of Montreal, province of Quebec, a spinster; that his legal domicile was then and is now in Canada; that, shortly after their said marriage, in the year A.D. 1907, she deserted him at the said city of Toronto and went to live in the said city as wife with husband with one George Titus and since then has so lived and is now so living with the said George Titus and has committed adultery with the said George Titus; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving the said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Cecil Ernest Freeman and Rose Mary Barker, 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 Cecil Ernest Freeman may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Rose Mary Barker had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

H_1

An Act for the relief of Cecil Ernest Freeman.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. CAMPBELL.

OTTAWA
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3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL H1.

AS PASSED BY THE SENATE 10th MARCH, 1911.

An Act for the relief of Cecil Ernest Freeman.

Preamble.

WHEREAS Cecil Ernest Freeman, of the town of Eglinton, in the province of Ontario, coachman, has by his petition alleged, in effect, that on the thirtieth day of July, A.D. 1907, at the city of Toronto, province of Ontario, he was lawfully married to Rose Mary Barker; that she was then of the city of Montreal, province of Quebec, a spinster; that his legal domicile was then and is now in Canada; that, shortly after their said marriage, in the year A.D. 1907, she deserted him at the said city of Toronto and went to live in the said city as wife with husband with one George Titus and since then has so lived and is now so living with the said George Titus and has committed adultery with the said George Titus; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving the said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Cecil Ernest Freeman and Rose Mary Barker, 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 Cecil Ernest Freeman may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Rose Mary Barker had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL I1.

An Act respecting The Baptist Convention of Ontario and Quebec.

Preamble. 1889, c. 105.

WHEREAS The Baptist Convention of Ontario and Quebec has by its petition prayed that it may 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:—

1889, c. 105, s. 2 amended.

1. Section 2 of chapter 105 of the statutes of 1889 is hereby amended by adding thereto the following sub-section:—

Power to make by-laws for appointment, etc., of *ex-officio* members.

"2. The said convention may from time to time make rules or by-laws providing that such officers of the convention and of the boards thereof and such other persons as are named in such rules or by-laws shall be *ex officio* members of the convention with such powers, privileges and duties as are conferred upon them by such rules or by-laws."

S. 5 amended.

2. Section 5 of the said chapter is hereby amended by adding thereto the following paragraphs:—

Appointment of various new boards.

(*f*) A board for the raising of money for and the prosecution of mission work in the western provinces of Canada, to be called "The Western Mission Board of the Baptist Convention";

"(*g*) A board for promoting study of the Bible and the extension of Sunday-school work, to be called "The Sunday-school Board of the Baptist Convention";

"(*h*) Any other boards which the Convention may from time to time decide to appoint for the carrying on of any Christian work."

S. 7 amended.

Appointment of member of Publication Board.

3. Section 7 of the said chapter is hereby amended by striking out the words "Manitoba and North-West Convention" in the fifth line thereof, and inserting in lieu thereof the words "Baptist Union of Western Canada."

s. 8 amended.

4. Section 8 of the said chapter is hereby amended by adding thereto the following sub-section:—

By-laws as to election of members of boards.

"2. The convention may from time to time make rules or by-laws providing that the various Baptist associations within the Province of Ontario and Quebec may each elect a member of each of the boards of the convention or of such of the said boards as provided by such rules or by-laws, and fixing the times for which the members so elected by the said associations are to hold office,"

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

I1

An Act respecting The Baptist Convention of Ontario and Quebec.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL I1.

AS PASSED BY THE SENATE 21st MARCH, 1911.

An Act respecting The Baptist Convention of Ontario and Quebec.

WHEREAS The Baptist Convention of Ontario and Quebec has by its petition prayed that it may 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. 1889, c. 105.

1. Section 2 of chapter 105 of the statutes of 1889 is hereby amended by adding thereto the following sub-section:— 1889, c. 105, s. 2 amended.

"2. The said convention may from time to time make rules or by-laws providing that such officers of the convention and of the boards thereof and such other persons as are named in such rules or by-laws shall be *ex officio* members of the convention with such powers, privileges and duties as are conferred upon them by such rules or by-laws." Power to make by-laws for appointment, etc., of *ex-officio* members.

2. Section 5 of the said chapter is hereby amended by adding thereto the following paragraphs:— S. 5 amended.

(*f*) A board for the raising of money for and the prosecution of mission work in the western provinces of Canada, to be called "The Western Mission Board of the Baptist Convention"; Appointment of various new boards.

"(*g*) A board for promoting study of the Bible and the extension of Sunday-school work, to be called "The Sunday-school Board of the Baptist Convention";

"(*h*) Any other boards which the Convention may from time to time decide to appoint for the carrying on of any Christian work."

3. Section 7 of the said chapter is hereby amended by striking out the words "Manitoba and North-West Convention" S. 7 amended.

Appointment of member of Publication Board.

in the fifth line thereof, and inserting in lieu thereof the words "Baptist Union of Western Canada."

S. 8 amended.

4. Section 8 of the said chapter is hereby amended by adding thereto the following sub-section:—

By-laws as to election of members of boards.

"2. The convention may from time to time make rules or by-laws providing that the various Baptist associations within the Province of Ontario and Quebec may each elect a member of each of the boards of the convention or of such of the said boards as provided by such rules or by-laws, and fixing the times for which the members so elected by the said associations are to hold office,"

Correction of error in French version of 1889, c. 105.

5. The French version of the said chapter is hereby amended by substituting for the word "*anabaptiste*", wherever it occurs therein, the word "*baptiste*".

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL J1.

An Act to incorporate The Canadian Baptist Foreign Mission Board.

WHEREAS, by an Act of the Legislature of Nova Scotia passed in A.D. 1865, The Foreign Missionary Board of the Baptist Convention of Nova Scotia, New Brunswick and Prince Edward Island was incorporated for the purpose of carrying on foreign mission work; and whereas the name of the said Board was subsequently, by an Act of the said Legislature passed in A.D. 1890, changed to "The Foreign Mission Board of the Baptist Convention of the Maritime Provinces"; and whereas the members of the said Board are appointed by the Baptist Convention of the Maritime Provinces; and whereas by an Act of the Legislature of New Brunswick passed in A.D. 1890, the said Board by its changed name was granted perpetual succession and given all the powers, rights and privileges made incident to a corporation by the law of the province of New Brunswick; and whereas, by chapter 105 of the Statutes of Canada of 1889, entitled "An Act respecting the Baptist Convention of Ontario and Quebec", the said Convention appoints the members of "The Foreign Mission Board of the Baptist Convention", a corporate body, constituted under the said chapter, for the prosecution of mission work outside of Canada; and whereas the Baptist churches of the provinces of Manitoba, Saskatchewan, Alberta and British Columbia are represented in the Baptist Union of Western Canada which controls the foreign mission work of the Baptist churches of the said provinces; and whereas it is deemed advisable by the said Conventions and by the said Union and also by the said Boards, that all the mission work of the said Boards and of the said Union should be under the management of one corporate board, the members of which should be appointed by the said Conventions and Union, and that after the organization of such boards the present Boards should cease to exist: therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. N.S., 1865, c. 60. N.S., 1890, c. 121. N.B., 1890, c. 50. Can., 1889, c. 105.

Incorporation.

1. The following persons, namely: W. H. White, J. W. Spurden, W. E. McIntyre, D.D., A. A. Wilson, K.C., D. Hutchinson, D.D., W. Camp, S. H. White, B. H. Nobles, W. C. Cross, James Patterson, A. H. Chipman, E. M. Sipprell, F. S. Porter, J. McLeod, D.D., and Robert C. Elkin, being the members of the Foreign Mission Board of the Baptist Convention of the Maritime Provinces, and J. N. Shenstone, S. S. Bates, D.D., A. A. Ayer, H. Ryrie, J. G. Scott, K.C., S. J. Moore, E. T. Fox, John Firstbrook, J. H. Farmer, LL.D., R. R. McKay, J. A. Gordon, D.D., William Craig and Charles H. Schutt, B.D., being the members of the Foreign Mission Board of the Baptist Convention of Ontario and Quebec, and H. Hilton, William Findlay, C. K. Morse, A. M. Macdonald, G. F. Stephens, W. E. Matthews, W. A. McIntyre, C. E. Stockdill, J. P. Frith, S. B. Blackhall, A. A. Shaw, John Stovel, W. E. Lugsdin, J. H. Bulmer, and J. N. MacLean, being the Executive Board of the Baptist Union of Western Canada, and their successors, are hereby incorporated under the name of "The Canadian Baptist Foreign Mission Board", hereinafter called "the Board"; and the persons hereby incorporated shall hold office as members of the Board until the appointment of their successors by the said Conventions and Union as hereinafter provided; and thereafter the persons so appointed and their successors shall compose the Board.

Members of various boards incorporated.

Corporate name.

First members.

Subsequent members.

2. The subsequent members of the Board shall be appointed as follows:—

By whom appointment to be made.

The Baptist Convention of Ontario and Quebec shall appoint twelve members, and the Baptist Convention of the Maritime Provinces and the Baptist Union of Western Canada shall respectively appoint a number of members, to be determined from year to year, proportionately to the number appointed by the Baptist Convention of Ontario and Quebec on the basis of the aggregate membership of the associated churches belonging to each: Provided that a fraction greater than one half of the unit of representation shall give the right to appoint an additional member.

Number of members.

Proviso.

Time of appointment.

3. The said members shall be appointed at the annual meetings of the said appointing bodies. The said respective bodies when making the first appointment shall severally appoint the full number to which they are entitled, and shall determine who shall serve for a three, two or one year period. Such bodies shall subsequently, at the said meetings, appoint a third, as nearly as may be, of the members to which they are respectively entitled, and in addition shall fill any vacancy that may have occurred in their representation: Provided that the Board may provide for temporarily filling any vacancy.

Term of office of first members appointed.

Vacancies.

Proviso.

The person temporarily appointed to hold office until the next annual meeting of the appointing body.

Term of office.

4. The term of office of each member shall be three years, unless where a member is appointed to fill a vacancy, when such appointment shall be for the remainder of his predecessor's term: Provided that where a member of the Board removes permanently from Canada, the Board may declare his office vacant.

Alterations in members to be appointed.

5. By a vote of two-thirds of the members present at the annual meetings of each of the appointed bodies, upon notice given at the previous annual meeting, the said bodies may alter the number of the members to be appointed by the several bodies, or the proportions to be appointed by them respectively.

Objects of the Board.

6. The object of the Board shall be to manage the foreign missionary work, which the bodies appointing it have now in hand or may hereafter undertake.

Real and personal property.

7. The Board and its successors shall be a corporate body, and shall be capable of taking by devise, gift or purchase, any real or personal property, lands or tenements, and of alienating the same at pleasure: Provided, however, that such devise of real estate shall be subject to the laws respecting devises of real estate to religious corporations in force at the time of such devise in the province in which such real estate is situate, so far as the same apply to the said corporation.

Proviso as to provincial laws.

Head-quarters.

8. The headquarters of the Board shall be at the city of Toronto.

First meeting.

Notice.

9. The first meeting of the Board shall be held at the city of Toronto at such time and place as may be appointed by the chairman of the Foreign Mission Board of The Baptist Convention of Ontario and Quebec, and notice of such meeting shall be sent by registered mail to the usual address of each member of the Board and shall be mailed at least fourteen days before the day appointed for such meeting.

Provision for failure of any appointing body to appoint members.

10. The Board shall not be dissolved by the failure of the Conventions or Union in any year to appoint members of the Board, but the persons theretofore appointed shall continue to constitute the Board until their successors are appointed; and in any case, for any reason, the annual meeting of a Convention or Union is not held, the person last elected president of that Convention or Union, or any three members of the Board, may, by public notice, published for at least three weeks in *The Canadian Baptist*, or other denominational publication or publi-

cations previously named by the Convention or Union for that purpose, call a meeting of the Convention or Union; and such meeting shall have the same authority as a regular annual meeting.

Transfer to Board of property of The Foreign Mission Board of The Baptist Convention of Ontario and Quebec.

11. The Foreign Mission Board of The Baptist Convention of Ontario and Quebec may by declaration or conveyance in that behalf, transfer all moneys, funds and other property held by it to the Board; and upon such transfer being made The Foreign Mission Board of The Baptist Convention of Ontario and Quebec shall cease to exist. The Board may receive transfers from the Foreign Mission Board of The Baptist Convention of the Maritime Provinces of any moneys, funds and property held by the latter, and may receive from the said Union transfers of any moneys, funds and property held by it for Foreign Mission purposes. The Board shall hold all moneys, funds and property so transferred to it subject to any trusts to which the same may be subject at the time of the transfer.

Trusts.

1889, c. 105, s. 5, para. (*b*) repealed.

12. Paragraph (*b*) of section 5 of chapter 105 of the statutes of 1889 respecting The Baptist Convention of Ontario and Quebec is hereby repealed on and after the last day of the session of Parliament next following the passing of this Act.

Foreign Mission Board of the Baptist Convention abolished.

Existing rules continued.

13. The Board shall be governed by the rules and regulations set out in the schedule to this Act, until the said rules and regulations are altered as therein provided.

Grants, bequests, etc., to vest in new Board.

14. Where in any deed, will or other instrument which has not gone into operation before the passing of this Act whether heretofore or hereafter executed, any grant, devise, gift or bequest is made to The Foreign Mission Board of the Baptist Convention of the Maritime Provinces, or to The Foreign Mission Board of the Baptist Convention of Ontario and Quebec, the same shall vest in The Canadian Foreign Mission Board hereby incorporated, subject to the same terms and conditions, if any, as it would have been held by the said respective Foreign Mission Boards if they had continued to exist.

SCHEDULE.

RULES AND REGULATIONS OF THE CANADIAN BAPTIST FOREIGN MISSION BOARD.

Officers.

1. The officers of the Board shall be a chairman, three vice-chairmen, a treasurer, general secretary, recording secretary, and such other secretaries as may from time to time be found necessary. These officers shall be appointed at the time of the annual meeting of the Board.

2. The general secretary shall, under the direction of the Board conduct its official correspondence. He shall from time to time visit such parts of the home territory as shall be deemed advisable and perform such other duties as the Board may assign him. General secretary.

3. The Board shall meet annually. A special meeting may be called at any time by the chairman on the requisition of the executive or any nine members of the Board. Meetings.

4. The Board shall, at its annual meeting appoint an executive committee composed of twelve members, as follows:— Executive committee.

(*a*) The chairman, and three vice-chairmen; (*b*) Six chosen from the members of the Board who represent the convention in which the headquarters of the Board are located; (*c*) One from each of the other two sections of the Board.

The executive committee shall appoint a sub-committee of its members to deal with matters of urgency that may arise between its sessions. Sub-committee for matters of urgency.

5. The executive committee shall meet at least once in three months, and a copy of the minutes of each meeting shall be sent to each member of the Board. Six shall form a quorum. Meetings of executive committee. Quorum.

6. The members appointed respectively by the Conventions and Union shall constitute a section of the Board for the territory of the body appointing them. These sections shall be known as the Eastern, Central and Western Sections of The Canadian Baptist Foreign Mission Board. Sections of Board.

7. In the case of the resignation, death or removal from Canada of a member between the annual sessions of the body appointing him it shall be the duty of the section of the Board in which a vacancy occurs to fill the same until the next annual meeting of the said body. Temporary replacement of member.

8. Each section of the Board shall have a chairman, recording secretary, and, if necessary, a treasurer. The vice-chairman of the Board shall be the chairman of the several sections respectively. Officers of sections. Chairman.

9. It shall be the duty of each section of the Board:— Duties of sections.

(*a*) To supervise the general campaign on behalf of Foreign Missions along the line of the policy approved by the body appointing it and to stimulate the church as to their highest missionary efficiency;

(*b*) To bring to the notice of the Board all facts and recommendations which they believe will be for the furtherance of the work as a whole.

10. The property, moneys and securities belonging to or vested in the Board shall from time to time be managed by the several sections of the Board, as follows:— Management of property, etc., of the sections.

(*a*) The Eastern Section shall manage the property and the investment of moneys and proceeds of securities transferred by the Foreign Mission Board of the Baptist Convention of the Maritime Provinces; Eastern section.

Central section.

(*b*) The Central Section shall manage the property and the investment of moneys and proceeds of securities transferred by the Foreign Mission Board of the Baptist Convention of Ontario and Quebec;

Western section.

(*c*) The Western Section shall manage the property and the investment of moneys and proceeds of securities transferred by the Baptist Union of Western Canada;

As to certain trust funds.

Management by eastern section.

(*d*) All funds and property held in trust by the Foreign Mission Board of the Baptist Convention of the Maritime Provinces for other than foreign mission work, and so transferred, shall be held, managed and controlled by the Eastern Section for the uses and trusts for which they may be held at the time of such transfer;

As to other property.

(*e*) Any other moneys, securities or property coming to the hands of the Board shall be dealt with as the Board may direct; and in case it is desired to invest any part thereof the same shall be invested by such of the sections as the Board or as the executive committee, in the absence of a direction of the Board, may deem desirable, unless the donors shall have designated one of the sections for that purpose, in which case the same shall be invested by that section.

Alteration of regulations.

Notice.

11. The foregoing regulations, or any substituted therefor may be repealed, altered or amended at any meeting of the Board by a unanimous vote, or by a vote of the majority of the members of the Board present: Provided in the latter case that two months' notice has been given to the recording secretary of the proposed amendment, and a copy of the said notice has been duly mailed by him to the post office address of each member, at least one month before such meeting. No such repeal, alteration or amendment shall remain in force more than one year, unless it has in the meantime been ratified by the various bodies by whom the Board is appointed.

Ratification by constituent bodies.

Right to attend meetings of section.

12. The secretaries of the various associations of the denomination in Ontario and Quebec shall be entitled to attend the meetings of the Central Section, to aid in its deliberations, and to discuss the matters brought before it; and the Convention of the Maritime Provinces and the Union for Western Canada may provide for the like attendance, at the meetings of their sections, of local officers or representatives, for similar purposes.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

J 1

An Act to incorporate The Canadian Baptist Foreign Mission Board.

Received and read a first time

Friday, 24th February, 1911.

Second reading

Thursday, 9th March, 1911.

Honourable Mr. Derbyshire.

OTTAWA
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL J1.

AS PASSED BY THE SENATE 29th MARCH, 1911.

An Act to incorporate The Canadian Baptist Foreign Mission Board.

Preamble.

WHEREAS, by an Act of the Legislature of Nova Scotia passed in A.D. 1865, The Foreign Missionary Board of the Baptist Convention of Nova Scotia, New Brunswick and Prince Edward Island was incorporated for the purpose of carrying on foreign mission work; and whereas the name of the said Board was subsequently, by an Act of the said Legislature passed in A.D. 1890, changed to "The Foreign Mission Board of the Baptist Convention of the Maritime Provinces"; and whereas the members of the said Board are appointed by the Baptist Convention of the Maritime Provinces; and whereas by an Act of the Legislature of New Brunswick passed in A.D. 1890, the said Board by its changed name was granted perpetual succession and given all the powers, rights and privileges made incident to a corporation by the law of the province of New Brunswick; and whereas, by chapter 105 of the Statutes of Canada of 1889, entitled "An Act respecting the Baptist Convention of Ontario and Quebec", the said Convention appoints the members of "The Foreign Mission Board of the Baptist Convention", a corporate body, constituted under the said chapter, for the prosecution of mission work outside of Canada; and whereas the Baptist churches of the provinces of Manitoba, Saskatchewan, Alberta and British Columbia are represented in the Baptist Union of Western Canada which controls the foreign mission work of the Baptist churches of the said provinces; and whereas it is deemed advisable by the said Conventions and by the said Union and also by the said Boards, that all the mission work of the said Boards and of the said Union should be under the management of one corporate board, the members of which should be appointed by the said Conventions and Union, and that after the organization of such boards the present Boards should cease to exist: therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

N.S., 1865, c. 60.

N.S., 1890, c. 121.

N.B., 1890, c. 50.

Can., 1889, c. 105.

Incorporation.

1. The following persons, namely: W. H. White, J. W. Spurden, W. E. McIntyre, D.D., A. A. Wilson, K.C., D. Hutchinson, D.D., W. Camp, S. H. White, B. H. Nobles, W. C. Cross, James Patterson, A. H. Chipman, E. M. Sipprell, F. S. Porter, J. McLeod, D.D., and Robert C. Elkin, being the members of the Foreign Mission Board of the Baptist Convention of the Maritime Provinces, and J. N. Shenstone, S. S. Bates, D.D., A. A. Ayer, H. Ryrie, J. G. Scott, K.C., S. J. Moore, E. T. Fox, John Firstbrook, J. H. Farmer, LL.D., R. R. McKay, J. A. Gordon, D.D., William Craig and Charles H. Schutt, B.D., being the members of the Foreign Mission Board of the Baptist Convention of Ontario and Quebec, and H. Hilton, William Findlay, C. K. Morse, A. M. Macdonald, G. F. Stephens, W. E. Matthews, W. A. McIntyre, C. E. Stockdill, J. P. Frith, S. B. Blackhall, A. A. Shaw, John Stovel, W. E. Lugsdin, J. H. Bulmer, and J. N. MacLean, being the Executive Board of the Baptist Union of Western Canada, and their successors, are hereby incorporated under the name of "The Canadian Baptist Foreign Mission Board", hereinafter called "the Board"; and the persons hereby incorporated shall hold office as members of the Board until the appointment of their successors by the said Conventions and Union as hereinafter provided; and thereafter the persons so appointed and their successors shall compose the Board.

Members of various boards incorporated.

Corporate name.

First members.

Subsequent members.

2. The subsequent members of the Board shall be appointed as follows:—

By whom appointment to be made.

The Baptist Convention of Ontario and Quebec shall appoint twelve members, and the Baptist Convention of the Maritime Provinces and the Baptist Union of Western Canada shall respectively appoint a number of members, to be determined from year to year, proportionately to the number appointed by the Baptist Convention of Ontario and Quebec on the basis of the aggregate membership of the associated churches belonging to each: Provided that a fraction greater than one half of the unit of representation shall give the right to appoint an additional member.

Number of members.

Proviso.

Time of appointment.

3. The said members shall be appointed at the annual meetings of the said appointing bodies. The said respective bodies when making the first appointment shall severally appoint the full number to which they are entitled, and shall determine who shall serve for a three, two or one year period. Such bodies shall subsequently, at the said meetings, appoint a third, as nearly as may be, of the members to which they are respectively entitled, and in addition shall fill any vacancy that may have occurred in their representation: Provided that the Board may provide for temporarily filling any vacancy. The person temporarily appointed to hold office until the next annual meeting of the appointing body.

Term of office of first members appointed.

Vacancies.

Proviso.

4. The term of office of each member shall be three years, unless where a member is appointed to fill a vacancy, when such appointment shall be for the remainder of his predecessor's term: Provided that where a member of the Board removes permanently from Canada, the Board may declare his office vacant. Term of office.

5. By a vote of two-thirds of the members present at the annual meetings of each of the appointed bodies, upon notice given at the previous annual meeting, the said bodies may alter the number of the members to be appointed by the several bodies, or the proportions to be appointed by them respectively. Alterations in members to be appointed.

6. The object of the Board shall be to manage the foreign missionary work, which the bodies appointing it have now in hand or may hereafter undertake. Objects of the Board.

7. The Board may receive, take and hold real estate by purchase, gift or devise, and determine by by-law the manner in which such property shall be held and conveyed, subject always to the laws of the province in which such real estate is situated; and in regard to any real property which, by reason of its situation or otherwise, is subject to the legislative authority of the Parliament of Canada, a license in mortmain shall not be necessary for the exercise of the powers granted by this Act. Real estate. Provincial laws.

2. The annual value of the real estate held by, or in trust for, the Board in any province of Canada, shall not exceed fifty thousand dollars, except in the province of Ontario, where it shall not exceed one hundred and fifty thousand dollars. Limit of amount.

3. The Board shall, within ten years after its acquisition of any real estate, sell or otherwise dispose of and alienate so much of such real estate as is not required for the use and occupation of the Board, but nothing herein contained shall be deemed in any wise to vary or otherwise affect any trust relating to such. Limit of time of holding.

8. The headquarters of the Board shall be at the city of Toronto. Headquarters.

9. The first meeting of the Board shall be held at the city of Toronto at such time and place as may be appointed by the chairman of the Foreign Mission Board of The Baptist Convention of Ontario and Quebec, and notice of such meeting shall be sent by registered mail to the usual address of each member of the Board and shall be mailed at least fourteen days before the day appointed for such meeting. First meeting. Notice.

10. The Board shall not be dissolved by the failure of the Conventions or Union in any year to appoint members of the Board, but the persons theretofore appointed shall continue to Provision for failure of any appointing

body to appoint members.

constitute the Board until their successors are appointed; and in any case, for any reason, the annual meeting of a Convention or Union is not held, the person last elected president of that Convention or Union, or any three members of the Board, may, by public notice, published for at least three weeks in *The Canadian Baptist*, or other denominational publication or publications previously named by the Convention or Union for that purpose, call a meeting of the Convention or Union; and such meeting shall have the same authority as a regular annual meeting.

Transfer to Board of property of The Foreign Mission Board of The Baptist Convention of Ontario and Quebec.

11. The Foreign Mission Board of The Baptist Convention of Ontario and Quebec may by declaration or conveyance in that behalf, transfer all moneys, funds and other property held by it to the Board; and upon such transfer being made The Foreign Mission Board of The Baptist Convention of Ontario and Quebec shall cease to exist. The Board may receive transfers from the Foreign Mission Board of The Baptist Convention of the Maritime Provinces of any moneys, funds and property held by the latter, and may receive from the said Union transfers of any moneys, funds and property held by it for Foreign Mission purposes. The Board shall hold all moneys, funds and property so transferred to it subject to any trusts to which the same may be subject at the time of the transfer.

Trusts.

1889, c. 105, s. 5, para. (*b*) repealed.

12. Paragraph (*b*) of section 5 of chapter 105 of the statutes of 1889 respecting The Baptist Convention of Ontario and Quebec is hereby repealed on and after the last day of the session of Parliament next following the passing of this Act.

Foreign Mission Board of the Baptist Convention abolished.

Existing rules continued.

13. The Board shall be governed by the rules and regulations set out in the schedule to this Act, until the said rules and regulations are altered as therein provided.

SCHEDULE.

RULES AND REGULATIONS OF THE CANADIAN BAPTIST FOREIGN MISSION BOARD.

Officers.

1. The officers of the Board shall be a chairman, three vice-chairmen, a treasurer, general secretary, recording secretary, and such other secretaries as may from time to time be found necessary. These officers shall be appointed at the time of the annual meeting of the Board.

General secretary.

2. The general secretary shall, under the direction of the Board conduct its official correspondence. He shall from time to time visit such parts of the home territory as shall be deemed advisable and perform such other duties as the Board may assign him.

Meetings.

3. The Board shall meet annually. A special meeting may be called at any time by the chairman on the requisition of the executive or any nine members of the Board.

Executive committee.

4. The Board shall, at its annual meeting appoint an executive committee composed of twelve members, as follows:—

(*a*) The chairman, and three vice-chairmen; (*b*) Six chosen from the members of the Board who represent the convention in which the headquarters of the Board are located; (*c*) One from each of the other two sections of the Board.

Sub-committee for matters of urgency.

The executive committee shall appoint a sub-committee of its members to deal with matters of urgency that may arise between its sessions.

Meetings of executive committee.

Quorum.

5. The executive committee shall meet at least once in three months, and a copy of the minutes of each meeting shall be sent to each member of the Board. Six shall form a quorum.

Sections of Board.

6. The members appointed respectively by the Conventions and Union shall constitute a section of the Board for the territory of the body appointing them. These sections shall be known as the Eastern, Central and Western Sections of The Canadian Baptist Foreign Mission Board.

Temporary replacement of member.

7. In the case of the resignation, death or removal from Canada of a member between the annual sessions of the body appointing him it shall be the duty of the section of the Board in which a vacancy occurs to fill the same until the next annual meeting of the said body.

Officers of sections.

Chairman.

8. Each section of the Board shall have a chairman, recording secretary, and, if necessary, a treasurer. The vice-chairman of the Board shall be the chairman of the several sections respectively.

Duties of sections.

9. It shall be the duty of each section of the Board:—

(*a*) To supervise the general campaign on behalf of Foreign Missions along the line of the policy approved by the body appointing it and to stimulate the church to their highest missionary efficiency;

(*b*) To bring to the notice of the Board all facts and recommendations which they believe will be for the furtherance of the work as a whole.

Management of property, etc., of the sections.

10. The property, moneys and securities belonging to or vested in the Board shall from time to time be managed by the several sections of the Board, as follows:—

Eastern section.

(*a*) The Eastern Section shall manage the property and the investment of moneys and proceeds of securities transferred by the Foreign Mission Board of the Baptist Convention of the Maritime Provinces;

Central section.

(*b*) The Central Section shall manage the property and the investment of moneys and proceeds of securities transferred by the Foreign Mission Board of the Baptist Convention of Ontario and Quebec;

Western section.

(*c*) The Western Section shall manage the property and the investment of moneys and proceeds of securities transferred by the Baptist Union of Western Canada;

As to certain trust funds.

Management by eastern section.

(*d*) All funds and property held in trust by the Foreign Mission Board of the Baptist Convention of the Maritime Provinces for other than foreign mission work, and so transferred, shall be

held, managed and controlled by the Eastern Section for the uses and trusts for which they may be held at the time of such transfer;

As to other property.

(*e*) Any other moneys, securities or property coming to the hands of the Board shall be dealt with as the Board may direct; and in case it is desired to invest any part thereof the same shall be invested by such of the sections as the Board or as the executive committee, in the absence of a direction of the Board, may deem desirable, unless the donors shall have designated one of the sections for that purpose, in which case the same shall be invested by that section.

Alteration of regulations.

11. The foregoing regulations, or any substituted therefor may be repealed, altered or amended at any meeting of the Board by a unanimous vote, or by a vote of the majority of the members of the Board present: Provided in the latter case that two months' notice has been given to the recording secretary of the proposed amendment, and a copy of the said notice has been duly mailed by him to the post office address of each member, at least one month before such meeting. No such repeal, alteration or amendment shall remain in force more than one year, unless it has in the meantime been ratified by the various bodies by whom the Board is appointed.

Notice.

Ratification by constituent bodies.

Right to attend meetings of section.

12. The secretaries of the various associations of the denomination in Ontario and Quebec shall be entitled to attend the meetings of the Central Section, to aid in its deliberations, and to discuss the matters brought before it; and the Convention of the Maritime Provinces and the Union for Western Canada may provide for the like attendance, at the meetings of their sections, of local officers or representatives, for similar purposes.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL K1.

An Act to incorporate The Hudson Bay, Peace River and Pacific Railway Company.

Preamble.

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

Incorporation.

Corporate name.

1. John Nairn of the city of Edinburgh, Scotland, distiller, and Robert Mills Simpson, physician, Roderick McLennan, gentleman, Hugo Ross, gentleman, Richard Deans Waugh, gentleman, William Maurice Noble, student, and Herbert William Adcock, broker, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Hudson Bay, Peace River and Pacific Railway Company," hereinafter called "the Company".

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 ten million dollars; no one call thereon shall exceed ten per cent on the shares subscribed.

Preference stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by the resolution.

Rights of preference stock-holders.

2. Holders of such preference stock shall be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority

provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

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

Annual meeting.

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

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a line of railway, of the gauge of four feet eight and one-half inches, from Port Nelson on Hudson Bay in a northwesterly direction to Fort Churchill on Hudson Bay; thence westerly between the fifty-eighth and sixtieth parallels of latitude to a point at or near Fort Vermilion on the Peace River; thence in a south-westerly direction to a point at or near Fort St. John; thence westerly, but slightly south though keeping north of the fifty-sixth parallel, to a point where the Nass River crosses the fifty-sixth parallel; thence down either the east or west side of the Nass River to a point near where it enters the Pacific Ocean; and thence to Port Simpson; and from a point on the aforesaid course at or near Fort St. John, south easterly to the city of Edmonton in the province of Alberta; and from at or near a point on the said line of railway thence to Cochrane River, southerly and south westerly to the city of Prince Albert in the province of Saskatchewan.

Consent of municipalities.

9. The Company shall not construct nor operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon the terms to be agreed upon with such municipality.

Vessels.

Wharves, docks, etc.

Warehousemen and wharfingers.

10. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property; and may take and hold either in the name of the Company or in the name of some person as trustee for the Company.

Lands, wharves, warehouses, buildings, etc., elsewhere than in Canada.

11. The Company may, elsewhere than in Canada for the purposes of its undertaking, purchase, lease, or otherwise acquire, hold, enjoy and manage, either in the name of the Company or in the name of a trustee or trustees for the Company, such lands, water lots, wharves, docks, dock-yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any such works or buildings, and sell or otherwise dispose thereof for the purposes of the Company.

Telegraph and telephones.

R.S., c. 37.

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

Contracts with other companies.

Tolls or charges.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraph or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may revise such tolls and charges from time to time.

R.S.C., c. 126.

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

Bonding powers.

13. The securities issued by the Company in respect to its railway shall not exceed fifty thousand dollars per mile of single track railway and sidings, nor seventy thousand dollars per mile of double track railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for purposes other than building railway.

R.S., c. 37.

Limit of amount.

14. In addition to the securities authorized by section 13 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow money, for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Railway bridges may be used for general traffic.

15. The Company may so construct or arrange any bridge required for any of its lines of railway 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;

Tolls.

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

Notice to be posted.

tolls so authorized to be charged on any such bridge shall at all times be posted up in a conspicuous place on the said bridge.

Agreements with other companies.

2. The Company may unite with, or enter into agreements 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.

Agreements with other companies.

R.S., c. 37.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements for any of the purposes specified in the said section 361, with all or any of the companies hereinafter named, such companies being The Grand Trunk Pacific Railway Company, The Canadian Pacific Railway Company, The Canadian Northern Railway Company, The Alberta Central Railway Company; and also with the Government of Canada as regards the railway to Hudson Bay.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA

BILL

K$_1$

An Act to incorporate The Hudson Bay, Peace River and Pacific Railway Company.

Received and read a first time

Wednesday, 8th March, 1911.

Second reading

Friday, 10th March, 1911.

Honourable Mr. DeVeber.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL K1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Hudson Bay, Peace River and Pacific Railway Company.

Preamble.

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

Incorporation.

1. John Nairn of the city of Edinburgh, Scotland, distiller, and Robert Mills Simpson, physician, Roderick McLennan, gentleman, Hugo Ross, gentleman, Richard Deans Waugh, gentleman, William Maurice Noble, student, and Herbert William Adcock, broker, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Hudson Bay, Peace River and Pacific 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 ten million dollars; no one call thereon shall exceed ten per cent on the shares subscribed.

Preference stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least two-thirds in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by the resolution.

Rights of preference stock-holders.

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

Head office.

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

Annual meeting.

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

Number of directors.

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

Line of railway described.

8. The Company may lay out, construct and operate a line of railway, of the gauge of four feet eight and one-half inches, from the city of Winnipeg, easterly and northerly, to Port Nelson on Hudson Bay; thence in a northwesterly direction to Fort Churchill on Hudson Bay; thence westerly between the fifty-eighth and sixtieth parallels of latitude to a point at or near Fort Vermilion on the Peace River; thence in a south-westerly direction to a point at or near Fort St. John; thence westerly, but slightly south though keeping north of the fifty-sixth parallel, to a point where the Nass River crosses the fifty-sixth parallel; thence down either the east or west side of the Nass River to a point near where it enters the Pacific Ocean; and thence to Port Simpson; and from a point on the aforesaid course at or near Fort St. John, south easterly to the city of Edmonton in the province of Alberta; and from at or near a point on the said line of railway thence to Cochrane River, southerly and south westerly to the city of Prince Albert in the province of Saskatchewan.

Running powers to other companies through pass crossing Rocky Mountains.

2. If in the opinion of the Board of Railway Commissioners for Canada, owing to the configuration of the ocuntry through the pass by which the said railway crosses the Rocky Mountains it is impracticable or unduly expensive to build more than one line of railway through the said pass, the Company shall grant running powers to any other railway company applying therefor over its railway through the said pass, and also over the approaches thereto, on terms to be agreed upon, or to be settled, in case of difference, by the Board of Railway Commissioners for Canada.

Consent of municipalities.

9. The Company shall not construct nor operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon the terms to be agreed upon with such municipality.

10. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property; and may take and hold either in the name of the Company or in the name of some person as trustee for the Company.

Vessels.

Wharves, docks, etc.

Warehousemen and wharfingers.

11. The Company may, elsewhere than in Canada, for the purposes of its undertaking, purchase, lease, or otherwise acquire, hold, enjoy and manage, either in the name of the Company or in the name of a trustee or trustees for the Company, such lands, water lots, wharves, docks, dock-yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for its purposes; and may construct any such works or buildings, and sell or otherwise dispose thereof for the purposes of the Company.

Lands, wharves, warehouses, buildings, etc., elsewhere than in Canada.

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

Telegraph and telephones.

R.S., c. 37.

Contracts with other companies.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraph or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may revise such tolls and charges from time to time.

Tolls or charges.

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

R.S.C., c. 126.

13. The securities issued by the Company in respect to its railway shall not exceed fifty thousand dollars per mile of single track railway and sidings, nor seventy thousand dollars per mile of double track railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Bonding powers.

14. In addition to the securities authorized by section 13 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time,

Issue of securities for purposes other than building railway.

R.S., c. 37.

borrow money for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limit of amount.

Railway bridges may be used for general traffic.

15. The Company may so construct or arrange any bridge required for any of its lines of railway 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;

Tolls.

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 so authorized to be charged on any such bridge shall at all times be posted up in a conspicuous place on the said bridge.

Notice to be posted.

Agreements with other companies.

2. The Company may unite with, or enter into agreements 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.

Agreements with other companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements for any of the purposes specified in the said section 361, with all or any of the companies hereinafter named, such companies being The Grand Trunk Pacific Railway Company, The Canadian Pacific Railway Company, The Canadian Northern Railway Company, The Alberta Central Railway Company; and also with the Government of Canada as regards the railway to Hudson Bay.

R.S., c. 37.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL L1.

An Act to change the name of The Manitoulin and North Shore Railway Company.

Preamble.

1900, c. 64; 1901, c. 74; 1902, c. 72; 1903, c. 148; 1905, c. 120; 1906, c. 123; 1907, c. 106; 1908, c. 127; 1910, c. 122.

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:—

Company's name changed.

1900, c. 64, s. 1.

1. The name of The Manitoulin and North Shore Railway Company, is changed to "The Algoma Eastern Railway Company;" but such change in name shall not in any way impair, alter or affect any right, obligation or liability of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company; and any such suit, proceeding or judgment may be prosecuted, continued, completed or enforced, notwithstanding such change of name, as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-1

THE SENATE OF CANADA.

BILL

L1

An Act to change the name of The Manitoulin and North Shore Railway Company.

Received and read a first time

Wednesday, 8th March, 1911.

Second reading,

Friday, 10th March, 1911.

Honourable Sir George W. Ross.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL L1.

AS PASSED BY THE SENATE 28th MARCH, 1911.

An Act to change the name of The Manitoulin and North Shore Railway Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1900, c. 64; 1901, c. 74; 1902, c. 72; 1903, c. 148; 1905, c. 120; 1906, c. 123; 1907, c. 106; 1908, c. 127; 1910, c. 122.

1. The name of The Manitoulin and North Shore Railway Company, is changed to "The Algoma Eastern Railway Company;" but such change in name shall not in any way impair, alter or affect any right, obligation or liability of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company; and any such suit, proceeding or judgment may be prosecuted, continued, completed or enforced, notwithstanding such change of name, as if this Act had not been passed. Company's name changed. 1900, c. 64, s. 1.

2. The time limited for completing 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 which lies between Sudbury and Little Current, is extended for two years from the passing of this Act, and if the said part of the railway is not completed before the said date 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 part of the railway as then remains uncompleted. Extension of time for construction of portion of railway. 1900, c. 64, s. 7.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL M1.

An Act to incorporate Lloyds Casualty Company of Canada.

Preamble.

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

Incorporation.

1. Arthur Lionel Eastmure, insurance broker, Allen E. Renfrew, merchant, Elliott W. Langley, merchant, George W. Monk, capitalist, and Ruliff Grass, gentleman, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "Lloyds Casualty Company of Canada," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital.

Increase.

3. The capital stock of the Company shall be two hundred and fifty thousand dollars, divided into ten thousand shares of twenty-five dollars each, which may be increased to five hundred thousand dollars.

Subscription before general meeting.

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

Head office.

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

Classes of business authorized.

6. The Company may carry on the following classes of business as defined by *The Insurance Act, 1910*, namely, accident, sickness, plate glass, steam boiler, automobile, guarantee and burglary insurance.

Subscription of, and payments on capital before commencing various kinds of business.

7. The Company shall not commence the business of accident and sickness insurance as provided for by this Act until one hundred and fifty thousand dollars of the capital stock have been subscribed and thirty-five thousand dollars have been paid in cash into the funds of the Company: Provided that the Company may commence the business of burglary insurance or the business of plate glass insurance when twenty-five thousand dollars more of the capital stock have been subscribed and fifteen thousand dollars more have been paid in cash into the funds of the Company; or may commence the businesses of both burglary and plate glass insurance when fifty thousand dollars more of capital stock have been subscribed and thirty thousand dollars more have been paid in cash into the funds of the Company: Provided further that the Company may commence the business of guarantee insurance when seventy-five thousand dollars more of the capital stock have been subscribed and forty-five thousand dollars more have been paid in cash into the funds of the Company: Provided further that in case the business of accident and sickness insurance has not been so taken up the Company may commence the business of burglary insurance or the business of plate glass insurance when fifty thousand dollars of the capital stock have been subscribed and twenty-five thousand dollars have been paid in cash into the funds of the Company; or the Company may commence the business of guarantee insurance when one hundred and seventy-five thousand dollars of the capital stock have been subscribed and sixty thousand dollars have been paid in cash into the funds of the Company.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910

THE SENATE OF CANADA.

BILL

M1

An Act to incorporate Lloyds Casual Company of Canada.

Received and read a first time

Wednesday, 8th March, 1911.

Second reading

Friday, 10th March, 1911.

Honourable Mr. McHugh.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL M1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Casualty 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. Arthur Lionel Eastmure, insurance broker, Allen E. Renfrew, merchant, Elliott W. Langley, merchant, George W. Monk, capitalist, and Ruliff Grass, gentleman, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Casualty Company of Canada," hereinafter called "the Company." Incorporation. Corporate name.

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

3. The capital stock of the Company shall be two hundred and fifty thousand dollars, which may be increased to five hundred thousand dollars. Capital. Increase.

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

5. The head office of the Company shall be in the city of Toronto, in the province of Ontario. Head office.

6. The Company may carry on the following classes of business as defined by *The Insurance Act, 1910*, namely, accident, sickness, plate glass, guarantee and burglary insurance. Classes of business authorized.

Subscription of, and payments on capital before commencing various kinds of business.

7. The Company shall not commence the business of accident insurance and sickness insurance until at least one hundred and fifty thousand dollars of its capital stock have been subscribed and at least thirty-five thousand dollars have been paid thereon.

2. The Company shall not transact the business of plate glass insurance in addition to accident insurance and sickness insurance until its subscribed capital has been increased to at least one hundred and seventy-five thousand dollars and at least forty-five thousand dollars have been paid thereon.

3. The Company shall not transact the business of burglary insurance in addition to accident insurance and sickness insur- until the subscribed capital has been increased at least to two hundred thousand dollars and at least fifty-five thousand dollars have been paid thereon.

4. The Company shal not transact the businesses of plate glass insurance and burglary insurance in addition to accident insurance and sickness insurance until its subscribed capital has been increased to two hundred and twenty-five thousand dollars and at least sixty-five thousand dollars have been paid thereon.

5. The Company shall not transact all the classes of insurance authorized by this Act until the whole authorized capital stock of two hundred and fifty thousand dollars has been subscribed and at least one hundred and twenty-five thousand dollars have been paid thereon.

1910, c. 32.

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

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL N1.

An Act to incorporate The Pacific and Hudson Bay 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 Denham Verschoyle, mining engineer, John Frank Bledsoe, mining engineer, Samuel Rae MacClinton, civil engineer, Wilfrid Francis Brougham, solicitor, Thomas John Lewis Peake, broker, and George Dudley Eaton, esquire, 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 Pacific and Hudson Bay Railway Company" hereinafter called "the Company".

Corporate name.

Provisional directors.

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

Capital stock.

Calls thereon.

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

Issue of preference stock.

Limit.

Priority.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock, not exceeding fifty per cent thereof, as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by the resolution.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway*

R.S., c. 37.

Act, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

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

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 line of railway, of the gauge of four feet eight and one-half inches, from a point near Kimsquit at the Head of Dean Channel; thence north-easterly following the Dean River, Sigutla Lake, Kwalchola Lake, the Entiaco River and the upper Nechaco River, to Fort Fraser; thence north-easterly to Fort James on Stuart Lake; thence in the same direction to Fort McLeod; thence continuing in the same direction, crossing the Parsnip River, through the Pine River Valley to Coal Brook; thence north-easterly to Dunvegan continuing along the Peace River to Peace River Landing; thence easterly, passing the head waters of the Bear River, to the Athabaska River and Fort McMurray; thence, crossing the Athabaska River and following the Clear Water River and the Churchill River, to a point on the Hudson Bay railway south of Washaiowaka Lake; and thence to Churchill or Nelson on Hudson Bay.

Consent of municipalities.

9. 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.

Use of railway bridges by foot passengers and vehicles.

Tolls.

Approval.

Notice.

10. The Company may, subject to the provisions of *The Railway Act* and subject also to the orders of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and vehicles; and in such cases the tolls to be charged for the passage of foot passengers and vehicles shall, before being imposed, be first submitted to and approved of, and may from time to time be revised, by the said Board; but the Company may, at any time, reduce such tolls, and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on the bridge.

Transportation by water.

11. For the purposes of its undertaking, the Company may construct, acquire, charter, and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and construct, acquire, lease, and dispose of wharves, docks, elevators, warehouses, offices and other structures, to be used to facilitate the carrying on of business in connection therewith.

Hotels, etc.

12. The Company may, for the comfort and accomodation of travellers, construct, acquire, maintain or otherwise utilize hotels, restaurants and other buildings, and carry on in connection therewith all business necessary for such purposes.

Transmission and delivery of power and electricity.

13. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, and develope water, electric or other power and energy; and may erect lines for the transmission of such power, and transmit or deliver it to any place in the cities or municipalities through which the works of the Company are authorized to be built; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time: Provided, however, that the Company shall not erect for any such purpose, any poles or lines upon, along, or across 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, nor carry on a lighting or power business within any municipality without first obtaining the consent, expressed by by-law, of such municipality and upon terms to be agreed upon with such municipality.

Rates to be approved by Railway Commission.

Municipal consent.

Telegraph and telephone lines.

R.S., c. 37.

Contracts with other companies.

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

Tolls or charges.

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

Application of R.S., c. 126.

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

Issue of securities for building railway.

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

Issue of securities for purposes other than building railway. R.S., c. 37.

16. In addition to the securities authorized by section 15 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limit of amount.

Agreements with other companies. R.S., c. 37.

17. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being The Canadian Northern Railway Company, The Grand Trunk Pacific Railway Company, and The Hudson's Bay Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

N1

An Act to incorporate The Pacific and Hudson Bay Railway Company.

Received and read a first time

Wednesday, 8th March, 1911.

Second reading

Friday, 10th March, 1911.

Honourable Mr. BOSTOCK.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL N1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Pacific and Hudson 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. William Denham Verschoyle, mining engineer, John Frank Bledsoe, mining engineer, Samuel Rae MacClinton, civil engineer, Wilfrid Francis Brougham, solicitor, Thomas John Lewis Peake, broker, and George Dudley Eaton, esquire, 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 Pacific 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 five million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock. Calls thereon.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock, not exceeding fifty per cent thereof, as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by the resolution. Issue of preference stock. Limit. Priority.

Status of holders.

R.S., c. 37.

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

Head office.

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

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 line of railway, of the gauge of four feet eight and one-half inches, from a point near Kimsquit at the Head of Dean Channel; thence north-easterly following the Dean River, Sigutla Lake, Kwalchola Lake, the Entiaco River and the upper Nechaco River, to Fort Fraser; thence north-easterly to Fort James on Stuart Lake; thence in the same direction to Fort McLeod; thence continuing in the same direction, crossing the Parsnip River, through the Pine River Pass to Coal Brook; thence north-easterly to Dunvegan continuing along the Peace River to Peace River Landing; thence easterly, passing the head waters of the Bear River, to the Athabaska River and Fort McMurray; thence, crossing the Athabaska River and following the Clear Water River and the Churchill River, to a point on the Hudson Bay railway south of Washaiowaka Lake; and thence to Churchill or Nelson on Hudson Bay.

Running powers through Pine River Pass for other companies.

2. If in the opinion of the Board of Railway Commissioners for Canada, owing to the configuration of the country through the said Pine River Pass, it is impracticable or unduly expensive to build more than one line of railway through the said pass, the Company shall grant running powers to any other railway company applying therefor over its railway through the said pass, and also over the approaches thereto, on terms to be agreed upon, or to be settled, in case of difference, by the Board of Railway Commissioners for Canada.

Consent of municipalities.

9. 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.

Use of railway bridges by foot passengers and vehicles.

10. The Company may, subject to the provisions of *The Railway Act* and subject also to the orders of the Board of Railway Commissioners for Canada, construct or arrange any

of its railway bridges for the use of foot passengers and vehicles; and in such cases the tolls to be charged for the passage of foot passengers and vehicles shall, before being imposed, be first submitted to and approved of, and may from time to time be revised, by the said Board; but the Company may, at any time, reduce such tolls, and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on the bridge.

Tolls.

Approval.

Notice.

11. For the purposes of its undertaking, the Company may construct, acquire, charter, and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and construct, acquire, lease, and dispose of wharves, docks, elevators, warehouses, offices and other structures, to be used to facilitate the carrying on of business in connection therewith.

Transportation by water.

12. The Company may, for the comfort and accomodation of travellers, construct, acquire, maintain or otherwise utilize hotels, restaurants and other buildings, and carry on in connection therewith all business necessary for such purposes.

Hotels, etc.

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

Transmission and delivery of power and electricity.

Rates to be approved by Railway Commission.

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

Consent of municipalities.

15. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone

Telegraph and telephone lines.

R.S., c. 37.

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

Contracts with other companies.

Tolls or charges.

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

Application of R.S., c. 126.

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

Issue of securities for building railway.

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

Issue of securities for purposes other than building railway.

R.S., c. 37.

17. In addition to the securities authorized by section 16 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limit of amount.

Agreements with other companies.

R.S., c. 37.

18. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being The Canadian Northern Railway Company, The Grand Trunk Pacific Railway Company, and The Hudson's Bay Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O1.

An Act to amend and consolidate the Acts relating to the Harbour of Toronto.

Preamble.

WHEREAS the corporation of the city of Toronto has petitioned for an Act revising, amending and consolidating the Acts relating to the harbour of Toronto, and for additional powers to the Harbour Commissioners thereof; 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:—

Short title.

1. This Act may be cited as *The Toronto Harbour Commissioners' Act, 1911.*

Repeal of existing Acts.

2. The Acts mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in the said Schedule, and the provisions of this Act are substituted for the provisions of the Acts so repealed.

Dissolution of existing corporation.

New corporation constituted.

Name.

3. Upon the passing of this Act, and upon the appointment of commissioners as herein provided, the corporation of "The Commissioners of the Harbour of Toronto" shall cease and the commissioners so appointed, together with all such persons as hereafter become members thereof, shall become and continue to be a corporation to be known as "The Commissioners of the Harbour of Toronto," who shall be a body corporate under that name, and shall, by that name, have and exercise the powers vested in bodies corporate under *The Interpretation Act,* and all such powers as may be necessary for carrying this Act into effect, according to its true intent and meaning, and such powers may be exercised by any three of the said commissioners as effectually as by all of them; and, if any three of them shall execute any deed and affix the corporate seal of the Commissioners to the same, it shall be held to be the deed of the Commissioners.

Quorum.

INTERPRETATION.

Designation.

4. The said corporation is hereinafter referred to as "the Corporation." The members thereof are referred to as "commissioners."

2. In this Act, the following words have the meaning assigned, to them in this section, unless the context requires otherwise:—

By-law.

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

Vessel.

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

Goods.

(*c*) The word "goods" means any movables other than vessels;

Rates.

(*d*) The word "rates" means any rate, toll, or duty whatsoever imposed by this Act.

Port of Toronto defined.

5. For the purposes of this Act, the port of Toronto shall be held to comprehend all that portion of the Liberties of the city of Toronto lying between the margin of the water on the north side of the bay in front of the said city, and the margin of the water on the north side of the marsh and bay east of the river Don, and the southern limits of the said Liberties, including the peninsula and island.

Harbour of Toronto defined.

6. For the purposes of this Act, the harbour of Toronto shall be deemed to include all territory comprised within the port of Toronto as herein defined, together with the area known as Ashbridge's bay, along with the dock property and water lots within the city limits, also the docks, shores and beaches of the island and peninsula.

Land marks.

7. The Corporation may erect land marks to indicate the said boundaries of the port of Toronto and of the harbour of Toronto, which land marks shall be held to determine the said boundaries.

COMPOSITION OF CORPORATION.

Commissioners.

8. The Corporation shall consist of five commissioners, three of whom shall be appointed by the council of the city of Toronto, one by the Governor in Council, and one by the Governor in Council upon the recommendation of the Board of Trade of the city of Toronto.

Term of office.

2. Each commissioner so appointed shall hold office for a term of three years subject to removal, and until his successor is appointed, and shall be eligible for re-appointment

9. Any commissioner may resign his office by notifying his resignation in writing to the body or person by which he was appointed, and by notifying the Corporation thereof in writing. Resignations.

10. Whenever a vacancy occurs among the commissioners, whether by expiration of term of office, or otherwise, the body by which the commissioner so retiring was nominated or appointed, shall nominate or appoint his successor within thirty days, and, in default of such nomination or appointment being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. Filling of vacancies.

11. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed of record in the office of the Corporation. Oath of office.

CHAIRMAN AND QUORUM.

12. The Corporation shall, from time to time, elect its own chairman, and three commissioners shall be a quorum for the transaction of all business within the jurisdiction of the Corporation.

OFFICERS AND EMPLOYEES.

13. The Corporation may appoint all such officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems fitting, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary. Officers, etc. Salaries. Security.

GENERAL POWERS.

14. The Corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the port and harbour of Toronto. Territorial limits of jurisdiction.

15. All property now held or controlled by the Commissioners of the Harbour of Toronto, and vested in them for the purposes of the harbour, shall become vested in the Corporation constituted by this Act. Vesting of former property.

2. All the land lying within the limits of the harbour of Toronto, as defined by this Act, and heretofore vested in His Crown land vested in corporation.

Majesty in right of the Dominion of Canada, shall be deemed to be vested in and held by the Corporation for the purposes of this Act.

Suits and actions.

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

Powers to hold and administer certain property for City of Toronto.

16. The Corporation may hold, take, develop and administer on behalf of the city of Toronto the area known as Ashbridge's Bay, together with the dock property and water lots owned by the city of Toronto in the harbour as defined by this Act, upon such terms and conditions as may be imposed thereon by the council of the city of Toronto, and all other property which may be placed under the jurisdiction of the Corporation.

Powers as to property required for harbour.

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

Use and development of water front.

3. The Corporation shall have power to regulate and control the use and development of all land and property on the water front within the limits of the City, and all docks, wharves, channels, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter defined.

Docks, railway tracks, warehouses, plant, etc.

4. The Corporation shall have power to construct and maintain docks, channels, railway tracks, warehouses, cranes or other buildings, equipment and appliances for use in the carrying on of harbour or transportation business, with power to sell, lease, or operate the same; but nothing in this section shall be deemed to constitute the Corporation a railway company within the meaning of *The Railway Act* and its amendments.

Proviso, as to operation of R.S., c. 37.

Powers.

5. The Corporation may—

Railway tracks.

(*a*) acquire railway tracks by purchase, lease or otherwise, and build, maintain and operate the same within the harbour as defined in this Act;

Agreements for maintenance and operation of railway tracks.

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

Agreements.

(*c*) make agreements with railway companies and navigation companies for facilitating traffic to, from and in the har-

bour, or for making connections between the companies' lines or vessels and those of the Corporation.

Plant and machinery.

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

R.S., c. 115 to apply to works.

7. Any work undertaken by the Corporation affecting the the use of any navigable waters shall be subject to the provisions of *The Navigable Waters' Protection Act*.

Profits of operation, if any, to belong to City of Toronto.

17. After providing for the cost of management of all the property which the Corporation may own, control, or manage under the preceding section and after providing for the cost of works or improvements under way or in contemplation, and for the performance of the other duties imposed upon the Corporation, and for capital charges and interest upon money borrowed by the Corporation for improvements, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the city of Toronto, and shall be paid over by the Corporation to the city treasurer.

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

Annual report to city.

18. All books, documents and papers in reference to the management and development of all property under the control of the Corporation shall at all times be open for inspection by the Audit Department of the city of Toronto; and the Corporation shall report annually all its proceedings in connection therewith to the council of the city.

Lighthouses, etc., may, by agreement, be maintained by Corporation.

19. If His Majesty and the Corporation so agree, the Government lighthouses, storm signals, fog signals, buoys, beacons, life-saving stations and other appliances within the harbour, or used in connection therewith, may, by order of the Governor in Council, be taken over, placed and maintained by the Corporation.

EXPROPRIATION OF LANDS.

Expropriation of land, etc.

20. Whenever the Corporation desires to acquire any land or immovable property for the improvement or extension of the harbour or for the accommodation thereof, it shall cause to be prepared a plan thereof in triplicate, one triplicate whereof shall be deposited in the office of the clerk of the peace of the city of Toronto, another triplicate thereof in the office of the Minister of Marine and Fisheries, and the third in the office of the Minister of Public Works; and such plan shall be submitted to the Governor in Council for approval; and, upon the plan being duly approved, if an amicable arrangement with the proprietor of such lands as to compensation therefor or for damages arising from the taking thereof, is not made, the Corporation

Plan.

Deposit.

Approval.

shall have the right to acquire the same without the consent of the proprietor thereof, and the provisions of *The Railway Act* as to the taking of lands by railway companies shall apply to the acquisition of such lands and immovable property for the purposes aforesaid to the same extent and in the same manner as to railway companies under the said Act.

R.S., c. 37.

Notice, how given.

2. Notice of taking of such lands may be given by inserting such notice three times in the course of one month in one newspaper published in the city of Toronto.

BORROWING POWERS.

Borrowing powers.

21. For the purpose of defraying the expenses of constructing, extending and improving the wharves, structures and other accommodations in the harbour of Toronto in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures, for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures shall be secured upon the real property vested in or controlled by the Corporation, and may be guaranteed by the corporation of the city of Toronto, or by the Government of Canada, or by the Government of the province of Ontario.

Debentures.

Term.

Security.

Guarantee.

Charge upon revenue.

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

Other charges on revenue.

Collection.

(*a*) The payment of all expenses incurred in the collection of the same, and other necessary charges;

Repairs.

(*b*) The defraying the expenses of keeping the harbour clean and of keeping the wharves and other works therein in a thorough state of repair;

Interest.

(*c*) The payment of interest due on all sums of money borrowed under this Act;

Sinking fund.

(*d*) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;

Dredging, operating, etc.

(*e*) The cost of keeping the harbour dredged, operating docks and wharves, and otherwise carrying out the objects of this Act.

BY-LAWS.

22. The Corporation may from time to time make by-laws not contrary to law, nor to the provisions of this Act, for the following purposes:— By-laws.

(*a*) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour; Navigation.

(*b*) To regulate, control or prohibit any building operations within or upon the harbour, excavations, removal or deposit of material, or any other action which would affect in any way the docks, wharves, or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto; Building operations and other actions affecting harbour.

(*c*) To construct, regulate, operate and maintain railways, elevators, pipes, conduits, or other works or appliances upon the docks, wharves or channels or any part thereof; and to control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation; Construction, etc., of works, on docks, etc. Poles, wires, machinery, etc.

(*d*) To prevent injuries to or encroachments upon any of the channels, harbours, wharves or waters generally within the limits of the harbour; Encroachments.

(*e*) To regulate and control the landing and shipping of explosives or inflammable substances; Explosives.

(*f*) To maintain order and regularity and prevent theft and depredations; Order, prevention of theft.

(*g*) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law under the authority of this Act; Rates, tolls and penalties.

(*h*) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kind of craft within the limits of the area over which the Corporation has jurisdiction; Control of boats, etc.

(*i*) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of payment of such pecuniary penalty and the costs of conviction, the period of imprisonment to be fixed by by-law not to exceed sixty days, nor to continue after such payment is made; Penalties for infringing Act or by-laws.

(*j*) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landed from or shipped on board of the same as they think fit, according to the use which may be made of such harbour and works aforesaid; Government of harbour. Tolls for use

Execution of duties and powers generally.

(*k*) For the doing of everything necessary for the effectual execution of the duties and powers vested in the Corporation.

Copies, when evidence.

2. Copies of any such by-law certified by the secretary under the seal of the Corporation shall be admitted as full and sufficient evidence of the same in all courts in Canada.

Existing by-laws, etc., continued till altered.

23. All by-laws, rules, regulations or orders of the Commissioners of the Harbour of Toronto now in force shall remain in force until repealed, altered or amended by the Corporation under this Act.

HARBOUR RATES.

Valuation of goods.

R.S., c. 48 to apply.

24. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, or any Act in amendment thereof, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied herein.

Recovery of rates.

25. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes, if it sees fit to do so.

Commutation of rates.

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

Seizure of vessels.

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

(*a*) Whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid.

(*b*) Whenever the master, owner, or person in charge of the vessel, has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.

Seizure of goods.

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

(*a*) Whenever any sum is due for rates in respect of such goods, and is unpaid;

(*b*) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has been incurred thereby.

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

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

3. The seizure and detention may be effected upon the order of— Order for seizure.

(*a*) any judge;

(*b*) any magistrate having the power of two justices of the peace;

(*c*) the collector of Customs at the port of Toronto. Application for order.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof; and the said constable, bailiff or other person, is empowered to take all necessary means and demand all necessary aid to enable him to execute the same. Execution of order. Aid.

MISCELLANEOUS POWERS.

30. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any members thereof directly or indirectly. Pecuniary transactions forbidden.

31. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of Toronto, or any justice of the peace, may administer such oath. Administration of oaths.

32. The Governor in Council may waive or remit all duties of customs on any articles or merchandise whatsoever imported by the Corporation for the purposes of this Act, but not for private use or profit, on application being made to him to the said effect by the Corporation. Power to Governor in Council to remit Customs duties.

ACCOUNTING FOR MONEYS.

33. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the author- Accounts.

Annual report to Governor in Council.

ity of this Act; and shall account for the same annually to the Governor in Council in such manner and form as he sees fit to direct.

LIMITATION OF SUMMARY PROCEEDINGS.

Prescription of prosecutions for violation of Act or by-laws.

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

SCHEDULE.

Year and Chapter.	Title of Act.	Extent of Repeal.
	Act of the former Province of Upper Canada.	
4 William IV, c. 23..	An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto.	Section XIII.
	Act of the former Province of Canada.	
13-14 Victoria, c. 80	An Act to provide for the future management of the Toronto Harbour.	The whole.

3rd Session, 11th Parliament, 1 George V., 1910-1

THE SENATE OF CANADA.

BILL

O$_1$

An Act to amend and consolidate the Act relating to the Harbour of Toronto.

Received and read a first time

Wednesday, 8th March, 1911.

Second reading

Friday, 10th March, 1911.

Honourable Mr. Jaffray.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to amend and consolidate the Acts relating to the Harbour of Toronto.

WHEREAS the corporation of the city of Toronto has petitioned for an Act revising, amending and consolidating the Acts relating to the harbour of Toronto, and for additional powers to the Harbour Commissioners thereof; 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. This Act may be cited as *The Toronto Harbour Commissioners' Act, 1911.* Short title.

2. The Acts mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in the said Schedule, and the provisions of this Act are substituted for the provisions of the enactments so repealed. Repeal of existing Acts.

3. The Commissioners appointed from time to time in accordance with the provisions of this Act are hereby constituted a corporation under the name of "The Toronto Harbour Commissioners." Corporation constituted.

INTERPRETATION.

4. The said corporation is hereinafter referred to as "the Corporation." The members thereof are referred to as "commissioners." Designation.

2. In this Act, the following words have the meaning assigned, to them in this section, unless the context requires otherwise:—

(*a*) The word "by-law" means any by-law, rule, order or regulation made by the Corporation under the authority of this Act; By-law.

Vessel.

(*b*) The expression "vessel" includes every kind of ship, boat, barge, dredge, elevator, scow, or floating craft propelled by steam. or otherwise;

Goods.

(*c*) The word "goods" means any movables other than vessels;

Rates.

(*d*) The word "rates" means any rate, toll, or duty whatsoever imposed by this Act.

Port and harbour of Toronto defined.

5. For the purposes of this Act, the port and harbour of Toronto shall be deemed to include all the waters west of a line drawn due south astronomically one statute mile from the point where the east limit of the city intersects the water's edge of Lake Ontario at high water, east of a line drawn due south astronomically one statute mile from the point where a line drawn due south astronomically from the west limit of the city on the Lake Shore road intersects the water's edge of Lake Ontario at high water, and north of lines drawn from the southern extremities of the said two lines through a point one statute mile due south of Gibraltar Point lighthouse; together with the dock and other water-front property and water lots within the city limits; also the docks, shores and beaches of the island and peninsula.

Land marks.

6. The Corporation may erect land marks to indicate the said boundaries of the port of Toronto and of the harbour of Toronto, which land marks shall be held to determine the said boundaries.

COMPOSITION OF CORPORATION.

Commissioners.

7. The Corporation shall consist of five commissioners, three of whom shall be appointed by the council of the city of Toronto, one by the Governor in Council, and one by the Governor in Council upon the recommendation of the Board of Trade of the city of Toronto.

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

Term of office.

3. Each commissioner so appointed shall hold office for a term of three years subject to removal, and until his successor is appointed, and shall be eligible for re-appointment

Resignations.

8. A commissioner appointed by the Governor in Council may resign his office by notifying in writing the Governor in Council of such resignation and a commissioner appointed by the council of the city of Toronto by notifying in writing the said council of such resignation.

9. Whenever a vacancy occurs among the commissioners appointed by the council of the city of Toronto or upon the recommendation of the Board of Trade of the city of Toronto, whether such vacancy occurs by expiration of term of office, or otherwise, the body by which the commissioner so retiring was appointed or recommended shall, within thirty days, appoint or recommend his successor, and, in default of such appointment or recommendation being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it. Filling of vacancies.

10. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed of record in the office of the Corporation. Oath of office.

CHAIRMAN AND QUORUM.

11. The Corporation shall, from time to time, elect its own chairman, and three commissioners shall be a quorum for the transaction of all business within the jurisdiction of the Corporation.

OFFICERS AND EMPLOYEES.

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

GENERAL POWERS.

13. The Corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the port and harbour of Toronto. Territorial limits of jurisdiction.

14. All property now held or controlled by the Commissioners of the Harbour of Toronto, and vested in them for the purposes of the harbour, shall become vested in the Corporation constituted by this Act. Vesting of former property.

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

Power to hold and administer certain property for city of Toronto.

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

Powers as to property required for harbour.

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

Property acquired from Crown not to be alienated without consent of Crown.

3. Notwithstanding anything in this Act contained, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage, or otherwise dispose of any land acquired by its predecessors or by it from the Government of the former province of Upper Canada, or of the former province of Canada, or of Canada.

Use and development of water-front.

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

Docks, buildings and appliances.

2. The Corporation shall have power to construct and maintain docks, channels, warehouses, cranes or other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, with power to sell, lease or operate the same.

Powers as to construction and operation of railways.

3. The Corporation may, subject to such provisions of *The Railway Act* as are applicable to the exercise of the powers granted by this subsection,—

R.S., c. 37.

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

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

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

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

Plant and machinery.

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

R.S., c. 115 to apply to works.

5. Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of *The Navigable Waters' Protection Act*.

Profits of operation, if any, to belong to City of Toronto.

17. After providing for the cost of management of all the property which the Corporation may own, control, or manage under the preceding sections and after providing for the cost of works or improvements under way or in contemplation, and for the performance of the other duties imposed upon the Corporation, and for capital charges and interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the city of Toronto, and shall be paid over by the Corporation to the city treasurer.

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

Annual report to city.

18. All books, documents and papers in reference to the management and development of all property under the control of the Corporation shall at all times be open for inspection by the Audit Department of the city of Toronto; and the Corporation shall report annually all its proceedings in connection therewith to the council of the city.

EXPROPRIATION OF LANDS.

Expropriation of lands.

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

R.S., c. 37 to apply.

BORROWING POWERS.

Borrowing powers.

20. For the purpose of defraying the expenses of constructing, extending and improving the wharves, structures and other accommodations in the harbour of Toronto in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said

Debentures. purposes issue debentures, for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than

Term. forty years, which debentures may be secured upon the real

Security. property vested in or controlled by the Corporation, subject to

Guarantee. the several exceptions contained in section 15 of this Act.

Charge upon revenue. 2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act

Other charges on revenue. for, or on account of, the said harbour; and other lawful charges upon the said revenue shall be as follows:—

Collection. (*a*) The payment of all expenses incurred in the collection of the same, and other necessary charges;

Repairs. (*b*) The defraying the expenses of keeping the harbour clean and of keeping the wharves and other works therein in a thorough state of repair;

Interest. (*c*) The payment of interest due on all sums of money borrowed under this Act;

Sinking fund. (*d*) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;

Dredging, operating, etc. (*e*) The cost of keeping the harbour dredged, operating docks and wharves, and otherwise carrying out the objects of this Act.

BY-LAWS.

By-laws. **21.** The Corporation may from time to time make by-laws not contrary to law, nor to the provisions of this Act, for the following purposes:—

Navigation. (*a*) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour;

Building operations and other actions affecting harbour. (*b*) To regulate, control or prohibit any building operations within or upon the harbour, excavations, removal or deposit of material, or any other action which would affect in any way the docks, wharves, or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto;

Construction, etc., of works, on docks, etc. (*c*) To construct, regulate, operate and maintain railways, elevators, pipes, conduits, or other works or appliances upon the docks, wharves or channels or any part thereof; and to

Poles, wires, machinery, etc. control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation;

Encroachments. (*d*) To prevent injuries to or encroachments upon any of the channels, harbours, wharves or waters generally within the limits of the harbour;

Explosives. (*e*) To regulate and control the landing and shipping of explosives or inflammable substances;

(*f*) To maintain order and regularity and prevent theft and depredations; Order, prevention of theft.

(*g*) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law under the authority of this Act; Rates, tolls and penalties.

(*h*) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kind of craft within the limits of the area over which the Corporation has jurisdiction; Control of boats, etc.

(*i*) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of payment of such pecuniary penalty and the costs of conviction, the period of imprisonment to be fixed by by-law not to exceed sixty days, nor to continue after such payment is made; Penalties for infringing Act or by-laws.

(*j*) For the government of all parties using the harbour and of all vessels coming into or using the same, and by such by-laws to impose tolls to be paid upon such vessels and upon goods landed from or shipped on board of the same as they think fit, according to the use which may be made of such harbour and works aforesaid; Government of harbour. Tolls for use.

(*k*) For the doing of everything necessary for the effectual execution of the duties and powers vested in the Corporation. Execution of duties and powers generally.

2. No by-law shall have force or effect until confirmed by the Governor in Council and published in *The Canada Gazette*. Confirmation of by-laws.

3. Copies of any by-law certified by the secretary under the seal of the Corporation shall be admitted as full and sufficient evidence of the same in all courts in Canada. Copies, when evidence.

22. All by-laws, rules, regulations or orders of the Commissioners of the Harbour of Toronto now in force shall remain in force until repealed, altered or amended under this Act. Existing by-laws, etc., continued till altered.

HARBOUR RATES.

23. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, or any Act in amendment thereof, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied herein. Valuation of goods. R.S., c. 48 to apply.

24. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes, if it sees fit to do so. Recovery of rates.

Commutation of rates.

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

Seizure of vessels.

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

(*a*) Whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid.

(*b*) Whenever the master, owner, or person in charge of the vessel, has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.

Seizure of goods.

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

(*a*) Whenever any sum is due for rates in respect of such goods, and is unpaid;

(*b*) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has been incurred thereby.

Seizure and detention to be at owners' risk.

Duration.

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

May be made with or without suit.

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

Order for seizure.

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

(*a*) any judge;

(*b*) any magistrate having the power of two justices of the peace;

(*c*) the collector of Customs at the port of Toronto.

Application for order.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof; and the said constable, bailiff or other person, is empowered to take all necessary means and demand all necessary aid to enable him to execute the same.

Execution of order.

Aid.

MISCELLANEOUS POWERS.

29. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any members thereof directly or indirectly. Pecuniary transactions forbidden.

30. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of Toronto, or any justice of the peace, may administer such oath. Administration of oaths.

ACCOUNTING FOR MONEYS.

31. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act; and shall account for the same annually to the Governor in Council in such manner and form as he sees fit to direct. Accounts. Annual report to Governor in Council.

LIMITATION OF SUMMARY PROCEEDINGS.

32. In the case of any violation of this Act, or of any by-law in force under this Act, no complaint or information shall be made or laid after two years from the time that the matter of complaint or information arose. Prescription of prosecutions for violation of Act or by-laws.

SCHEDULE.

Year and Chapter.	Title of Act.	Extent of Repeal.
	Act of the former Province of Upper Canada.	
4 William IV, c. 23..	An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto.	Section XIII.
	Acts of the former Province of Canada.	
13-14 Victoria, c. 80	An Act to provide for the future management of the Toronto Harbour.	The whole.
25 Victoria, c. 26....	An Act to amend the Act for the management of the Toronto Harbour.	The whole.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL P1.

An Act to incorporate The Western Canal 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:—

Interpretation.

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

"canal."

(*a*) "canal" includes lift locks, channels, canals, approaches, or other channels, excavated, erected or made by the Company;

"land."

(*b*) "land" includes land covered or partly covered with water;

"vessel."

(*c*) "vessel" means and includes any vessel, ship, barge, boat, scow or raft navigating or passing through any of the canals or channels authorized by this Act;

"power."

(*d*) "power" means and includes such steam, hydraulic or electrical power or power obtained by compressed air or other pressure or energy, as may be used by the Company or made available by the works of the Company.

Incorporation.

2. George Alexander Graham, vessel-owner, John Thomas Horne, merchant, both of the town of Fort William, David Croal McKenzie, mayor of the town of Fort Frances, physician, George Archibald Stethen, president of the Board of Trade, Rainy River District, hardware merchant, Herbert Williams, gentleman, and Octave Jalbert, merchant, all of the town of Fort Frances in the province of Ontario, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Western Canal Company" hereinafter called "the Company".

Corporate name.

Provisional directors.

3. The persons named in Section 2 of this Act shall be the provisional directors of the Company.

Capital stock.

4. The capital stock of the Company shall be seven hundred and fifty thousand dollars, divided into shares of one hundred

dollars each, and may be called up from time to time by the directors as they deem necessary.

Head office.

5. The head office of the Company shall be in the town of Fort Frances in the province of Ontario, or at such other place in Canada as the Company from time to time by by-law determine.

Annual meeting.

6. The annual general meeting of the shareholders shall be held on the first Monday in July.

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.

Powers.

8. The Company may:—

Canal and connecting channels between certain points.

(*a*) construct, maintain and operate a ship canal and navigable connecting channels from a point five miles east of Fort Frances on Rainy Lake, by way of the Rainy River, to a point five miles west of the foot of the Long Sault Rapids on the said river;

Works for operation and maintenance thereof.

(*b*) construct, maintain and operate all channels, locks, dams, diversions, works and connections necessary for the efficient operation of a ship canal and for the maintenance of a navigable channel between the said points;

Ditto. Works for supply of water.

(*c*) construct, maintain and operate all locks, dams, reservoirs, channels and works necessary in connection with the supply and regulation of water in the said canal and channels;

Passages across canals, etc.

(*d*) construct, maintain and operate any passage over, under or through the said canal and channels, or over, under or through any river, watercourse, water or land, when necessary for the purposes of the undertaking;

Terminals.

(*e*) construct, maintain and operate, use or lease or otherwise dispose of, terminals, wharves, and harbour works;

Development and use of hydraulic and electrical power.

(*f*) create hydraulic and electrical power from or by water brought into or contained in any canal, dam, lock or channel, and use the same for lighting and operating the canals, locks, gates, channels, shops, and other works of the Company; and also, subject to the approval of the Governor in Council as to rates and conditions, use, sell, lease, or otherwise dispose of any hydraulic, electrical or other kind of power developed by or made available by or in connection with the canal system of the Company, when and to the extent the same may not be required for the purposes of navigation or for the works of the Company.

Rates, etc.

Disposal of power.

Vessels.

(*g*) build or acquire, and use or dispose of, steamers, tugs, boats, barges and other vessels, for the purposes of the said canal; and propel vessels of all kinds in and through the said canal by any kind of power or force; and, for such purposes, construct, erect, maintain and operate such structures, machinery, and appliances as are necessary to produce or operate the said force or power;

Structures, machinery, etc.

(*h*) manufacture and produce any commodity for affording traffic on the said canal and channels.

Basins, docks, etc.

9. The Company may open, cut, excavate and erect such ponds and basins for the laying up and turning of vessels, boats or craft using the said canal as it deems expedient; and at such portions thereof as it deems expedient; and may also build and erect dry docks and slips and all necessary machinery connected therewith for the operation of such dry docks and slips, and for building and repairing vessels, and may lease or hire the same on such terms as it deems expedient, or may operate them by its servants or agents.

Crossing highways.

10. The Company shall, at each and every place where the said canal or any of the said channels crosses any highway or public road (unless exempted from the provisions of this section, so far as any highway or public road is in use, by the municipality having jurisdiction over such highway or public road) construct and maintain to the satisfaction of the Governor in Council, bridges, tunnels, ferries or other means of passage over or under the said canal or channels, so that the public thoroughfare may be as little impeded as reasonably necessary; and the Company shall not, in making the said canal or channels, cut through or interrupt the passage on any highway or public road until the Company has made a convenient road past its works for the use of the public; and for every day on which it neglects to comply with the requirements of this section, the Company shall incur a penalty of one hundred dollars.

Breadth of land to be taken on each side of works.

11. The land, ground or property to be taken or used, without the consent of the proprietors, for the said canal, channels, and works, and for the ditches, drains, diversions, dams, reservoirs and other works, shall not exceed such lands as may be necessary for the proper construction, operation and maintenance of the said canal, channels and works incidental thereto, including lands and lands covered or partly covered by water, or water areas necessary at places where dams, intakes, outlets or basins or other works are required to be cut or made as necessary parts of the canal and channels as shown on the plans to be approved as hereinafter provided.

Plan of works to be approved by Governor in Council.

12. The Company shall not break ground or commence the construction of the said canal or of any of the channels or other works incidental or necessary to the carrying out of the Company's undertaking authorized by this Act, unless and until the plans, locations, dimensions and all necessary particulars of such canal, channels and other works, so authorized, have been submitted to and have received the approval of The Waterways' Commission and have also been submitted to the Minister of

Railways and Canals, and have received the approval of the Governor in Council.

Issue of bonds. R.S., c. 37, s. 136 *et seq.*

13. The Company may issue and pledge or dispose of bonds, debentures or other securities in the manner provided in *The Railway Act*, to the extent of two million dollars.

Tolls may be charged.

14. The Company may ask, demand, take and recover for all vessels, passengers and goods transported upon the said canal, or vessels using them,or other service rendered by the Company,such tolls as the Company or its directors from time to time by by-law determine; and no tolls of any description shall be levied or taken by the Company until they have been approved of by the Governor in Council.

Approval of Governor in Council.

Tolls to be charged equally.

2. All tolls shall, under the same circumstances, be charged equally to all persons for all goods and services of a like character and no reduction or advance on any such tolls shall be made, either directly or indirectly, in favour of or against any particular person or Company using the canal, channels or works of the Company.

Time for construction limited.

15. If the construction of the canal, channels or other works hereby authorized to be constructed, or some of them, is not commenced within five years and completed within ten years after the passing of this Act, or if the said canal, channels or other works, or any of them, are not finished within twelve years after the passing of this Act, then the powers granted by this Act shall cease and be null and void, as respects so much of the said canal, channels and other works, hereby authorized, as then remains uncompleted.

Government improvement.

16. Nothing in this Act shall be construed to prevent the Government of Canada from improving the said river, or shall give the Company any claim for damages by reason of any such improvement being made.

Agreements with other companies. R.S., c. 37.

17. Subject to the provisions of this Act and of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with any company or companies having powers similar to those of the Company.

Application of R.S., c. 37.

18. *The Railway Act* shall, so far as applicable and when not inconsistent with this Act, apply to the Company and to its undertaking, and the Company shall have and may exercise all the powers conferred by *The Railway Act*, in so far as the said Act is applicable to the Company.

Interpretation. "railway."

2. Wherever in *The Railway Act*, the expression "railway" occurs, it shall, unless the context otherwise requires, in so far

as it applies to this Act or to the Company, mean any canal, channel, dam or other work by this Act authorized.

"land."

3. Wherever in *The Railway Act* the expression "land" occurs, it shall, in its application to this Act and to the Company include land covered or partly covered by water, and shall include any privilege or easement required by the Company for constructing, excavating, erecting, operating and maintaining the works authorized by this Act under, over or along any land or water, without the necessity of obtaining a title in fee simple thereto.

R.S., c. 79 not to apply.

19. Part II of *The Companies Act* shall not apply to the Company.

Works may be taken over by Government.

20. His Majesty, His heirs and successors, may at any time assume the possession of, and the property in, the said canal and works, and of and in all the rights, privileges and advantages of the Company, on giving to the Company one week's notice of intention to do so; and thereupon all property in the said canal, works, rights, privileges and advantages shall become and thenceforward shall be, vested in His Majesty, His heirs and successors, and by way of compensation His Majesty shall pay to the Company the value of the work actually done by the Company up to the time of the giving of such notice in surveying, and in the making of plans, and otherwise upon the undertaking, together with the value of all tangible property of the Company of which possession may be so taken, such values to be fixed by three valuators, or the majority of them, one valuator to be chosen by His Majesty, another by the Company, and the third by the two so chosen.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

P_1

An Act to incorporate The Western Canal Company.

Received and read a first time

Wednesday, 8th March, 1911.

Second reading

Friday, 10th March, 1911.

Honourable Mr. Campbell.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL P1.

AS PASSED BY THE SENATE 27th APRIL, 1911.

An Act to incorporate The Western Canal 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. In this Act, unless the context otherwise requires,— Interpretation.

(*a*) "canal" includes lift locks, channels, canals, approaches, or other channels, excavated, erected or made by the Company; "canal."

(*b*) "land" includes land covered or partly covered with water; "land."

(*c*) "vessel" means and includes any vessel, ship, barge, boat, scow or raft navigating or passing through any of the canals or channels authorized by this Act; "vessel."

(*d*) "power" means and includes such steam, hydraulic or electrical power, or power obtained by compressed air or other pressure or energy, as may be used by the Company or made available by the works of the Company. "power."

2. George Alexander Graham, vessel-owner, John Thomas Horne, merchant, both of the town of Fort William, David Croal McKenzie, mayor of the town of Fort Frances, physician, George Archibald Stethen, president of the Board of Trade, Rainy River District, hardware merchant, Herbert Williams, gentleman, and Octave Jalbert, merchant, all of the town of Fort Frances in the province of Ontario, together with such persons as become shareholders in the Company, are hereby incorporated under the name of "The Western Canal Company" hereinafter called "the Company". Incorporation. Corporate name.

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

Capital stock.

4. The capital stock of the Company shall be seven hundred and fifty thousand dollars, divided into shares of one hundred dollars each, and may be called up from time to time by the directors as they deem necessary.

Head office.

5. The head office of the Company shall be in the town of Fort Frances in the province of Ontario, or at such other place in Canada as the Company from time to time by by-law determine.

Annual meeting.

6. The annual general meeting of the shareholders shall be held on the first Monday in July.

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.

Powers.

8. The Company may:—

Canal and connecting channels between certain points.

(*a*) construct, maintain and operate a canal and navigable connecting channels from a point five miles east of Fort Frances on Rainy Lake, by way of the Rainy River, to a point five miles west of the foot of the Long Sault Rapids on the said river;

Works for operation and maintenance thereof.

(*b*) construct, maintain and operate all channels, locks, dams, diversions, works and connections necessary for the efficient operation of a canal and for the maintenance of a navigable channel between the said points;

Ditto.
Works for supply of water.

(*c*) construct, maintain and operate all locks, dams, reservoirs, channels and works necessary in connection with the supply and regulation of water in the said canal and channels;

Passages across canals, etc.

(*d*) construct, maintain and operate any passage over, under or through the said canal and channels, or over, under or through any river, watercourse, water or land, when necessary for the purposes of the undertaking;

Terminals.

(*e*) construct, maintain and operate, use or lease or otherwise dispose of, terminals, wharves, and harbour works;

Development and use of hydraulic and electrical power.

(*f*) for the purpose of its undertaking, and except at or near Fort Francis, create hydraulic and electrical power from or by water brought into or contained in the said canal or any dam, lock or channel, and use the same for lighting and operating the canals, locks, gates, channels, shops, and other works of the Company; and also, subject to the approval of the Governor in Council as to rates and conditions, use, sell, lease, or otherwise dispose of any hydraulic, electrical or other kind of power developed by or made available by or in connection with the canal system of the Company, when and to the extent the same may not be required for the purposes of navigation or for the works of the Company.

Rates, etc.
Disposal of power.

Vessels.

(*g*) build or acquire, and use or dispose of, steamers, tugs, boats, barges and other vessels, for the purposes of the said canal; and propel vessels of all kinds in and through the said canal by any kind of power or force; and, for such purposes, construct, erect, maintain and operate such structures, machin-

Structures, machinery, etc.

ery, and appliances as are necessary to produce or operate the said force or power;

(*h*) manufacture and produce any commodity for affording traffic on the said canals and channels.

Proviso as to property and works of the Ontario and Minnesota power Company, limited.

Approval of plans and works.

Provided that the works authorized by this Act shall not be constructed, maintained or operated so as in the opinion of the Board of Railway Commissioners for Canada to injuriously affect the water power, lands or works of The Ontario and Minnesota Power Company, Limited, at Fort Frances and within five miles west thereof as authorized by their charter. The plans, construction and operation of the works hereby authorized shall be subject to the approval and direction of the Board of Railway Commissioners for Canada.

Basins, docks, etc.

9. Subject to the proviso contained in section 8 of this Act, the Company may open, cut, excavate and erect such ponds and basins for the laying up and turning of vessels, boats or craft using the said canal as it deems expedient; and at such portions thereof as it deems expedient; and may also build and erect dry docks and slips and all necessary machinery connected therewith for the operation of such dry docks and slips, and for building and repairing vessels, and may lease or hire the same on such terms as it deems expedient, or may operate them by its servants or agents.

Crossing highways.

10. The Company shall, at each and every place where the said canal or any of the said channels crosses any highway or public road (unless exempted from the provisions of this section, so far as any highway or public road is in use, by the municipality having jurisdiction over such highway or public road) construct and maintain to the satisfaction of the Governor in Council, bridges, tunnels, ferries or other means of passage over or under the said canal or channels, so that the public thoroughfare may be as little impeded as reasonably necessary; and the Company shall not, in making the said canal or channels, cut through or interrupt the passage on any highway or public road until the Company has made a convenient road past its works for the use of the public; and for every day on which it neglects to comply with the requirements of this section, the Company shall incur a penalty of one hundred dollars.

Breadth of land to be taken on each side of works.

11. The land, ground or property to be taken or used, without the consent of the proprietors, for the said canal, channels, and works, and for the ditches, drains, diversions, dams, reservoirs and other works, shall not exceed such lands as may be necessary for the proper construction, operation and maintenance of the said canal, channels and works incidental thereto, including lands and lands covered or partly covered by water, or water areas necessary at places where dams, intakes, outlets or basins

or other works are required to be cut or made as necessary parts of the canal and channels as shown on the plans to be approved as hereinafter provided.

Plan of works to be approved by Governor in Council.

12. The Company shall not break ground or commence the construction of the said canal or of any of the channels or other works incidental or necessary to the carrying out of the Company's undertaking authorized by this Act, unless and until the plans, locations, dimensions and all necessary particulars of such canal, channels and other works, so authorized, have been submitted to and have received the approval of The Waterways' Commission and have also been submitted to the Minister of Railways and Canals, and have received the approval of the Governor in Council.

Issue of bonds. R.S., c. 37, s. 136 *et seq.*

13. The Company may issue and pledge or dispose of bonds, debentures or other securities in the manner provided in *The Railway Act*, to the extent of two million dollars.

Tolls may be charged.

14. The Company may ask, demand, take and recover for all vessels, passengers and goods transported upon the said canal, or vessels using them, or other service rendered by the Company, such tolls as the Company or its directors from time to time by by-law determine; and no tolls of any description shall be levied or taken by the Company until they have been approved of by the Governor in Council.

Approval of Governor in Council.

Tolls to be charged equally.

2. All tolls shall, under the same circumstances, be charged equally to all persons for all goods and services of a like character and no reduction or advance on any such tolls shall be made, either directly or indirectly, in favour of or against any particular person or Company using the canal, channels or works of the Company.

Time for construction limited.

15. If the construction of the canal, channels or other works hereby authorized to be constructed, or some of them, is not commenced within five years and completed within ten years after the passing of this Act, or if the said canal, channels or other works, or any of them, are not finished within twelve years after the passing of this Act, then the powers granted by this Act shall cease and be null and void, as respects so much of the said canal, channels and other works, hereby authorized, as then remains uncompleted.

Government improvement.

16. Nothing in this Act shall be construed to prevent the Government of Canada from improving the said river, or shall give the Company any claim for damages by reason of any such improvement being made.

Agreements with other companies.

17. Subject to the provisions of this Act and of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into

agreements, for any of the purposes specified in the said section 361, with any company or companies having powers similar to those of the Company. R.S., c. 37.

18. *The Railway Act* shall, so far as applicable and when not inconsistent with this Act, apply to the Company and to its undertaking, and the Company shall have and may exercise all the powers conferred by *The Railway Act*, in so far as the said Act is applicable to the Company. Application of R.S., c. 37.

2. Wherever in *The Railway Act*, the expression "railway" occurs, it shall, unless the context otherwise requires, in so far as it applies to this Act or to the Company, mean any canal, channel, dam or other work by this Act authorized. Interpretation. "railway."

3. Wherever in *The Railway Act* the expression "land" occurs, it shall, in its application to this Act and to the Company include land covered or partly covered by water, and shall include any privilege or easement required by the Company for constructing, excavating, erecting, operating and maintaining the works authorized by this Act under, over or along any land or water, without the necessity of obtaining a title in fee simple thereto. "land."

19. Nothing in this Act shall be construed to authorize or empower the Company to enter or take or use the public lands of the province of Ontairo for any of the purposes mentioned in subsection (*f*) of section 8 of this Act without the consent of the Lieutenant Governor in Council. Consent of province of Ontario as to public lands.

20. Part II of *The Companies Act* shall not apply to the Company. R.S., c. 79 not to apply.

21. His Majesty, His heirs and successors, may at any time assume the possession of, and the property in, the said canal and works, and of and in all the rights, privileges and advantages of the Company, on giving to the Company one week's notice of intention to do so; and thereupon all property in the said canal, works, rights, privileges and advantages shall become and thenceforward shall be, vested in His Majesty, His heirs and successors, and by way of compensation His Majesty shall pay to the Company the value of the work actually done by the Company up to the time of the giving of such notice in surveying, and in the making of plans, and otherwise upon the undertaking, together with the value of all tangible property of the Company of which possession may be so taken, such values to be fixed by three valuators, or the majority of them, one valuator to be chosen by His Majesty, another by the Company, and the third by the two so chosen. Works may be taken over by Government.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Q1.

An Act to amend The Inspection and Sale Act, as regards the weights of a bushel and a bag of certain articles.

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

1. Section 337 of *The Inspection and Sale Act*, chapter 85 of *The Revised Statutes*, 1906, is hereby repealed and the following section is substituted therefor:— R.S.C. 85, s. 337 amended.

"**337.** A bushel of any article mentioned in this subsection shall mean, unless a bushel by measure is specially agreed upon, that number of Dominion standard pounds of such article which is shown in this subsection opposite the name of such article. Bushel of certain articles.

Description of article.	Weight in Dominion standard pounds.
Artichokes	56
Beans	60
Beets	50
Bituminous coal	70
Blue grass seed	14
Carrots	50
Castor beans	40
Clover seed	60
Hemp seed	44
Lime	70
Malt	36
Onions	50
Parsnips	45
Potatoes	60
Timothy seed	48
Turnips	50

"2. A bag of any article mentioned in this subsection shall mean, unless a bag by measure is specially agreed upon, that Bag of certain articles.

number of Dominion standard pounds of such article which is shown in this subsection opposite the name of such article.

Description of article.	Weight in Dominion standard pounds.
Artichokes	75
Beets	70
Carrots	70
Onions	75
Parsnips	60
Potatoes	80
Turnips	70

1911, c. repealed.

2. The Act passed during the present session respecting the sale of potatoes by the barrel and intituled *An Act to amend the Inspection and Sale Act*, is hereby repealed.

R.S.C. 83, s. 338 amended. Barrel of potatoes.

3. Section 338 of the said chapter is hereby repealed and the following is substituted therefor:—

"**338.** A barrel of potatoes shall mean, unless a barrel of specified size, kind or content by measure is specially agreed upon, one hundred and sixty-five Dominion standard pounds of potatoes".

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Q1

An Act to amend The Inspection and Sale Act, as regards the weights of a bushel and a bag of certain articles.

Received and read a first time
Wednesday, 8th March, 1911.
Second reading
Friday, 10th March, 1911.

Right Honourable
SIR RICHARD CARTWRIGHT, G.C.M.G.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Q1.

AS PASSED BY THE SENATE 21st MARCH, 1911.

An Act to amend The Inspection and Sale Act, as regards t e weights of a bushel and a bag of certain articles.

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

1. Section 337 of *The Inspection and Sale Act*, chapter 85 of *The Revised Statutes*, 1906, is hereby repealed and the following section is substituted therefor:— R.S.C. 85, s. 337 amended.

"**337.** A bushel of any article mentioned in this subsection shall mean, unless a bushel by measure is specially agreed upon, that number of Dominion standard pounds of such article which is shown in this subsection opposite the name of such article. Bushel of certain articles.

Description of article.	Weight in Dominion standard pounds.
Artichokes	56
Beans	60
Beets	50
Bituminous coal	70
Blue grass seed	14
Carrots	50
Castor beans	40
Clover seed	60
Hemp seed	44
Lime	70
Malt	36
Onions	50
Parsnips	45
Potatoes	60
Timothy seed	48
Turnips	50

Bag of certain articles.

"2. A bag of any article mentioned in this subsection shall mean, unless a bag by measure is specially agreed upon, that number of Dominion standard pounds of such article which is shown in this subsection opposite the name of such article.

Description of article.	Weight in Dominion standard pounds.
Artichokes	75
Beets	70
Carrots	70
Onions	75
Parsnips	60
Potatoes	80
Turnips	70

1911, c. repealed.

2. The Act passed during the present session respecting the sale of potatoes by the barrel and intituled *An Act to amend the Inspection and Sale Act,* is hereby repealed.

R.S.C. 83, s. 338 amended.

3. Section 338 of the said chapter is hereby repealed and the following is substituted therefor:—

Barrel of potatoes.

"**338.** A barrel of potatoes shall mean, unless a barrel of specified size, kind or content by measure is specially agreed upon, one hundred and sixty-five Dominion standard pounds of potatoes".

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL R1.

An Act to incorporate The Ontario Railways 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. James Henry Kittermaster, banker, John Newton, merchant, Isaac Newton, merchant, Henry F. Holland, bank manager, all of the town of Sarnia, in the county of Lambton, province of Ontario; A. W. McLimond, of Jackson, in the state of Michigan, civil engineer; Albert D. Bennett, of the city of Port Huron, in the state of Michigan, banker, and Myron W. Mills, of the said city of Port Huron, capitalist, together with such persons as become shareholders in the Company are hereby incorporated under the name of "The Ontario Railways Company," hereinafter called "the Company."

Corporate name.

Declaration.

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

Provisional directors.

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

Capital stock. Calls.

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.

Issue of preference stock.

5. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock

Priority.

so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Status of holders.

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

Head office.

6. The head office of the Company shall be at the town of Sarnia, in the county of Lambton, in the province of Ontario.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Directors.

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

Line of railway described.

9. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point at or near the town of Sarnia, in the county of Lambton, in the province of Ontario, to a point at or near the city of Chatham, in the county of Kent, in the said province, and thence to the city of Windsor, in the county of Essex, in the said province, with a branch line eastward, from some point on the Company's line of railway between the town of Sarnia and the city of Chatham, to the village of Brigden, in the county of Lambton.

Branch.

Consent of municipalities.

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

Vessels, wharves, etc.

11. The Company may for the purposes of its undertaking construct, acquire, charter and dispose of steam and other vessels, of every kind and description, for the conveyance of trains, cars, passengers, goods and merchandise, and may navigate them to and from the terminal points of its line of railway from and to ports in Canada and elsewhere; and may construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, terminal facilities and other structures to be used to facilitate the carrying on of the business of the Company in connection therewith; and may carry on the business of wharfingers and warehousemen.

Wharfingers' and warehouse business.

Ferries across St. Clair river.

12. The Company may, for the purposes of its undertaking and particularly for the purpose of carrying into effect agree-

ments entered into with The Michigan United Electric Railway Company as hereinafter mentioned, construct or acquire and may operate a ferry or ferries, from a point in or near the town of Sarnia, in the county of Lambton, across the St. Clair river to a point in or near the city of Port Huron, in the state of Michigan, for the purpose of transporting its trains, cars and passengers, and the trains, cars and passengers of The Michigan United Electric Railway Company, and freight, goods, and merchandise carried by either company to and from the said town of Sarnia and the said city of Port Huron in connection with the business of either company, or both companies.

Telegraph and telephone lines. R.S., c. 37.

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

Contracts with other companies.

Tolls or charges.

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

R.S., c. 126.

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

Agreements with other companies.

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being The Michigan United Electric Railway Company, The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, and The Pere Marquette Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

R1

An Act to incorporate The Ontario Railways Company.

Received and read a first time

Thursday, 9th March, 1911.

Second reading

Tuesday, 14th March, 1911.

Honourable Mr. Gibson.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL R1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Ontario-Michigan 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. James Henry Kittermaster, banker, John Newton, merchant, Isaac Newton, merchant, Henry F. Holland, bank manager, all of the town of Sarnia, in the county of Lambton, province of Ontario; A. W. McLimond, of Jackson, in the state of Michigan, civil engineer; Albert D. Bennett, of the city of Port Huron, in the state of Michigan, banker, and Myron W. Mills, of the said city of Port Huron, capitalist, together with such persons as become shareholders in the Company are hereby incorporated under the name of "The Ontario-Michigan Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

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

5. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three- Issue of preference stock.

fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

Status of holders.

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

Head office.

6. The head office of the Company shall be at the town of Sarnia, in the county of Lambton, in the province of Ontario.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Directors.

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

Line of railway described.

9. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point at or near the town of Sarnia, in the county of Lambton, in the province of Ontario, to a point at or near the city of Chatham, in the county of Kent, in the said province, and thence to the city of Windsor, in the county of Essex, in the said province, with a branch line eastward, from some point on the Company's line of railway between the town of Sarnia and the city of Chatham, to the village of Brigden, in the county of Lambton.

Branch.

Consent of municipalities.

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

Vessels, wharves, etc.

11. The Company may for the purposes of its undertaking construct, acquire, charter and dispose of steam and other vessels, of every kind and description, for the conveyance of trains, cars, passengers, goods and merchandise, and may navigate them to and from the terminal points of its line of railway from and to ports in Canada and elsewhere; and may construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, terminal facilities and other structures to be used to facilitate the carrying on of the business of the Company in connection therewith; and may carry on the business of wharfingers and warehousemen.

Wharfingers' and warehouse business.

12. The Company may, for the purposes of its undertaking and particularly for the purpose of carrying into effect agreements entered into with The Michigan United Electric Railway Company as hereinafter mentioned, construct or acquire and may operate a ferry or ferries, from a point in or near the town of Sarnia, in the county of Lambton, across the St. Clair river to a point in or near the city of Port Huron, in the state of Michigan, for the purpose of transporting its trains, cars and passengers, and the trains, cars and passengers of The Michigan United Electric Railway Company, and freight, goods, and merchandise carried by either company to and from the said town of Sarnia and the said city of Port Huron in connection with the business of either company, or both companies.

Ferries across St. Clair river.

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

Telegraph and telephone lines.
R.S., c. 37.

Contracts with other companies.

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

Tolls or charges.

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

R.S., c. 126.

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act* the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being The Michigan United Electric Railway Company, The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, and The Pere Marquette Railway Company.

Agreements with other companies.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL S1.

An Act for the relief of Ethel May Hornell.

Preamble.

WHEREAS Ethel May Hornell, presently residing at the city of Toronto, in the province of Ontario, wife of David Wyllie Hornell, of the city of Montreal, in the province of Quebec, salesman, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of August, A.D. 1901, at the said city of Toronto, she then being Ethel May Stevenson, spinster; that the legal domicile of the said David Wyllie Hornell was then and is now in Canada; that in or about the month of September, A.D. 1904, he deserted her; that on or about the fourth day of October, A.D. 1910, at the King Edward Hotel, in the city of Toronto, in the province of Ontario, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Ethel May Stevenson and David Wyllie Hornell, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said Ethel May Stevenson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said David Wyllie Hornell had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

S1

An Act for the relief of Ethel May Hornell.

Received and read a first time,

Thursday, 9th March, 1911.

Second reading,

Tuesday, 14th March, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL S1.

AS PASSED BY THE SENATE 15th MARCH, 1911.

An Act for the relief of Ethel May Hornell.

Preamble

WHEREAS Ethel May Hornell, presently residing at the city of Toronto, in the province of Ontario, wife of David Wyllie Hornell, of the city of Montreal, in the province of Quebec, salesman, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of August, A.D. 1901, at the said city of Toronto, she then being Ethel May Stevenson, spinster; that the legal domicile of the said David Wyllie Hornell was then and is now in Canada; that in or about the month of September, A.D. 1904, he deserted her; that on or about the fourth day of October, A.D. 1910, at the King Edward Hotel, in the city of Toronto, in the province of Ontario, he committed adultery with a woman whose name is unknown; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved

1. The said marriage between Ethel May Stevenson and David Wyllie Hornell, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again

2. The said Ethel May Stevenson may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said David Wyllie Hornell had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL T1.

An Act for the relief of Paulina Verena Meyer.

Preamble.

WHEREAS Paulina Verena Meyer, presently residing at the city of Toronto, in the province of Ontario, wife of Henry Meyer, of the township of Uxbridge, in the province of Ontario, farmer, has by her petition alleged, in effect, that they were lawfully married on the twenty-fourth day of February, A.D. 1885, at the said city of Toronto, she then being the widow of the late John Meyer; that the legal domicile of the said Henry Meyer was then and is now in Canada; that during the years A.D. 1908, 1909 and 1910, at Sandy Hook, in the said township of Uxbridge, he lived with one Frances Sickinger as man and wife, and during the said years on divers occasions committed adultery with the said Frances Sickinger; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Paulina Verena Meyer and Henry Meyer, 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 Paulina Verena Meyer may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Meyer had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

T_1

An Act for the relief of Paulina Verena Meyer.

Received and read a first time

Thursday, 9th March, 1911.

Second reading

Tuesday, 14th March, 1911.

Honourable Mr. Campbell.

OTTAWA
Printed by C. H. Parmelee
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL T1.

AS PASSED BY THE SENATE 15th MARCH, 1911.

An Act for the relief of Paulina Verena Meyer.

Preamble.

WHEREAS Paulina Verena Meyer, presently residing at the city of Toronto, in the province of Ontario, wife of Henry Meyer, of the township of Uxbridge, in the province of Ontario, farmer, has by her petition alleged, in effect, that they were lawfully married on the twenty-fourth day of February, A.D. 1885, at the said city of Toronto, she then being the widow of the late John Meyer; that the legal domicile of the said Henry Meyer was then and is now in Canada; that during the years A.D. 1908, 1909 and 1910, at Sandy Hook, in the said township of Uxbridge, he lived with one Frances Sickinger as man and wife, and during the said years on divers occasions committed adultery with the said Frances Sickinger; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Paulina Verena Meyer and Henry Meyer, 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 Paulina Verena Meyer may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Meyer had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL U1.

An Act to incorporate The North West Loan Company.

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

Incorporation. **1.** Russell Wilson, Archibald P. McNab, James Clinkskill, William J. Bell, Herbert Weston, James Frederick Cairns, Truman F. Calder, William Charles Sutherland, Albert Herman Hanson, James R. Wilson, Fred Engen, and Philip Edward MacKenzie, all of the city of Saskatoon, in the province of Saskatchewan, and Emil Julius Malicke, of the town of Dundurn, in the said province, together with such other persons as become shareholders in the company, are incorporated under the name of "The North West Loan Company", hereinafter called the "Company." Corporate name.

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

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

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

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

Qualification.

3. No person shall be a director unless he holds in his own name and for his own use at least 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.

Head office.

Other offices.

4. The head office of the Company shall be at the city of Saskatoon, in the province of Saskatchewan, or at such other place in Canada as the directors may from time to time determine by by-law, but the Company may establish other offices and places of business elsewhere.

Conditions of commencing business.

Certificate.

Subscription of stock.

Cash deposit

Time for application for certificate.

Proviso: for case of certificate not being obtained.

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

Mortgages on real estate.

Stock and s curities.

6. The Company may carry on the business of lending money on the security of, or purchasing or investing in,—

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

(*b*) the debentures, bonds, fully paid-up stocks and other securities of any government, or of any municipal corporation or school corporation, or of any chartered bank in Canada or of any company incorporated by Canada, or by any province of Canada, or by any former province now forming part of Canada, but not including bills of exchange or promissory notes.

Personal security.

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

7. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 6 of this Act; and may purchase and acquire any securities on which they are authorized to advance money, and resell the same. Agency association.

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

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

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

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

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

9. The Company may, subject to any limitation or prohibition imposed by its by-laws, lend upon its own paid-up stock to an amount not exceeding, in the aggregate of all such loans, ten per cent of the Company's paid up stock, but no such loan shall exceed eighty per cent of the market price then actually offered for the stock. Loans upon the company's own paid-up stock.

2. The Company shall not, except as in this section provided, make any loan or advance upon the security of any share or stock of the Company, whether with or without collateral security. Other such loans prohibited.

3. The Company shall not invest in nor lend money on the stock of any other loan company. Other such loans prohibited.

Moneys on deposit.

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

Limitation of liability to the public.

Limitation of amount held on deposit.

Deduction of loans to shareholders.

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

Inclusion of liability of companies assumed.

12. The liabilities of any company assumed by the Company shall form part of the total liabilities of the Company to the public, for the purposes of section 10 of this Act.

Decrease of capital.

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

Contents of by-law.

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

Rights of creditors preserved.

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

Requisites for validity of by-law.

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

Certificate of Minister of Finance.

Requisites for such certificate.

15. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the *bona fide* character of the decrease of capital thereby provided for; and, unless it appears that the granting of such

certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the Company, the amount of such decrease of capital may, by the certificate, be changed, and the decrease made subject to such conditions as the Treasury Board thinks proper. Proviso.

16. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or 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 10 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine. Debenture stock. To be included in estimate of liabilities to public. Rank. Transfer.

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

18. 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. Exchange of debentures.

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

20. No by-law to create and issue preference stock shall have any force or effect until it has been sanctioned, either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Preference stock by-laws invalid till sanctioned.

Company duly called for considering it, such shareholders present at the meeting or represented thereat by proxy holding not less than two-thirds of the amount paid upon the capital stock of the Company.

Reserve fund.

21. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing, improving or maintaining any of the property of the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with all power to employ in the business of the Company the assets constituting the reserve fund, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations in section 6 of this Act.

Extension of business outside of Canada.

22. The Company may, in general meeting of its shareholders duly called for the purpose, pass a by-law authorizing its directors to extend the business of the Company outside of Canada, and the directors may give effect to such by-law without being liable or responsible for any breach of trust in so doing.

Property and buildings for agencies abroad.

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

Agencies abroad.

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

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

24. The Company may purchase, acquire and undertake the whole or any part of the business, assets, rights, credits, effects and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and good-will of such other company, provided such other company carries on any business which the Company is authorized to carry on, or is possessed of

property suitable for the purposes of the Company; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock either fully paid up or partly paid up, or in any other manner; and any such other company whose assets the Company desires to purchase is hereby authorized to sell and transfer its assets, business, property, name and good-will; and the Company and any such other company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from anv such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

Payment.

Power to other companies to sell.

Proviso.

Approval of Treasury Board.

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

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

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

Directors.

Election.

Quorum.

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

Company not bound to see to execution of trusts.

28. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture, or obligation of the Company, which bond, debenture or obligation is

Transmission of interest in shares

otherwise than by transfers.

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

Requirements in case of transmission by will or intestacy.

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

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

Directors may apply to court in case of doubt.

Proviso.

Costs if doubts reasonable.

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

Term for which land may be held.

Forfeiture.

Extension of term.

Notice of enforcing forfeiture.

of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions.

Statement of lands subject to.

Annual statement to Minister of Finance.

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

Penalty for non-compliance.

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

33. Sections 125, 135, 161, 165 and 167 of *The Companies Act* shall not apply to the Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

U 1

An Act to incorporate The North West Loan Company.

Received and read a first time

Tuesday, 14th March, 1911.

Second reading

Thursday, 16th March, 1911.

Honourable Mr. Watson.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL U1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The Canada West Loan Corporation.

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. Russell Wilson, Archibald P. McNab, James Clinkskill, William J. Bell, Herbert Weston, James Frederick Cairns, Truman F. Calder, William Charles Sutherland, Albert Herman Hanson, James R. Wilson, Fred Engen, and Philip Edward MacKenzie, all of the city of Saskatoon, in the province of Saskatchewan, and Emil Julius Malicke, of the town of Dundurn, in the said province, together with such other persons as become shareholders in the company, are incorporated under the name of "The Canada West Loan Corporation", hereinafter called "the Company." Incorporation. Corporate name.

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

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

Election of directors.

2. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed, and not less than fifty thousand dollars of that amount have been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Saskatoon, at which meeting shall be elected the board of directors of the Company, who shall hold office until their successors are appointed; and upon the election of such board the functions of the provisional directors shall cease.

Qualification.

3. No person shall be a director unless he holds in his own name and for his own use at least 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.

Head office.

4. The head office of the Company shall be at the city of Saskatoon, in the province of Saskatchewan, or at such other place in Canada as the directors may from time to time determine by by-law, but the Company may establish other offices and places of business elsewhere.

Other offices.

Meetings.

Calling of.

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

Notice.

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

Calls on stock.

6. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call; and any notice of call may be effectually given by sending the notice by registered letter post paid to the address of the shareholder as given in the books of the Company.

Conditions of commencing business.

7. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so; and no application for such certificate shall be made, and no such certificate shall be given, until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of

Certificate.

Subscription of stock.

the capital stock of the Company have been subscribed and at least one hundred thousand dollars have been paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided, that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

Cash deposit

Time for application for certificate.

Proviso: for case of certificate not being obtained.

8. The Company may carry on the business of lending money on the security of, or purchasing or investing in,—

Powers.

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

Mortgages on real estate.

(*b*) the debentures, bonds, fully paid-up stocks and other securities of any government, or of any municipal corporation or school corporation, or of any chartered bank in Canada to the extent of not more than twenty per cent of the paid-up capital of any such bank, or of any company incorporated by Canada, or by any province of Canada, or by any former province now forming part of Canada, but not including bills of exchange or promissory notes.

Stock and securities.

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

Personal security.

3. The Company shall not invest in nor lend money on the stock of any other loan company.

9. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 6 of this Act; and may purchase and acquire any securities on which they are authorized to advance money, and resell the same.

Agency association.

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

Enforcement of agreements

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

Guarantee of repayment.

Employment of capital.

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

Moneys guaranteed to be deemed borrowed.

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

Liquidation of companies.

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

Moneys on deposit.

Limitation of liability to the public.

Limitation of amount held on deposit.

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

Decrease of capital.

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

Contents of by-law.

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

Rights of creditors preserved.

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

Requisites for validity of by-law.

13. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the issued capital stock of the Company represented

at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance, given under the authority of the Treasury Board.

Certificate of Minister of Finance.

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

Requisites for such certificate.

Proviso.

15. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or 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 11 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine.

Debenture stock.

To be included in estimate of liabilities to public.

Rank.

Transfer.

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

Register of debenture stock.

Contents.

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

Exchange of debentures.

18. The Company, having issued debenture stock, may from time to time, as it thinks fit and in the interest of the Company,

Cancellation of debenture stock.

but only with the consent of the holders thereof, buy up and cancel the debenture stock or any portion thereof.

Preference stock by-laws invalid till sanctioned.

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

Reserve fund.

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

Extension of business outside of Canada.

21. The Company may, in general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds of the paid-up capital stock of the Company are present or represented by proxy, pass a by-law authorizing its directors to extend the business of the Company outside of Canada.

Property and buildings for agencies abroad.

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

Agencies abroad.

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

Power to acquire business, etc.,

23. The Company may purchase, acquire and undertake the whole or any part of the business, assets, rights, credits, effects

and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and good-will of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock either fully paid up or partly paid up, or in any other manner; and the Company and any such other company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

of other companies.

Payment.

Power to other companies to sell.

Proviso.

Approval of Treasury Board.

2. In case the Company by any such agreement so approved, assumes the liabilities of any other company, such liabilities shall form part of the total liabilities of the Company to the Company to the public for the purposes of section eleven of this Act.

Liability to the public.

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

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

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

Directors.

Election.

Quorum.

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

Company not bound to see to execution of trusts.

subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Transmission of interest in shares otherwise than by transfers.

27. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture, or obligation of the Company, which bond, debenture or obligation is not payable to bearer, or in any deposit or any other moneys payable by or in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living and having power to execute the same, has been filed with the manager or secretary of the Company and approved by the directors; and if the declaration, purporting to be signed and executed, also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or of a British Consul, or vice-consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and, unless the directors are not satisfied with the responsibility of the transferee, shall allow the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

Requirements in case of transmission by will or intestacy.

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

transferring or consenting to the transfer of any bond, debenture, obligation or share or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to such probate, letters of administration or other such documents aforesaid.

Directors may apply to court in case of doubt.

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

Proviso.

Costs if doubts reasonable.

Term for which land may be held.

30. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided that the Governor in Council may extend

Forfeiture.

Extension of term.

the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be in force until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions.

Notice of enforcing forfeiture.

Statement of lands subject to.

Annual statement to Minister of Finance.

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

Penalty for non-compliance.

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

32. Sections 125, 135, 161, and 165 of *The Companies Act* shall not apply to the Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL V1.

An Act respecting the Alsek and Yukon Railway Company.

Preamble. 1907, c. 58. 1909, c. 41.

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

Extension of time for construction.

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

Repeal of former time limit.

2. Chapter 41 of the statutes of 1909 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

V1

An Act respecting the Alsek and Yukon Railway Company.

Received and read a first time

Tuesday, 14th March, 1911.

Second reading

Thursday, 16th March, 1911.

Honourable Mr. Bostock.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL V1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act respecting the Alsek and Yukon 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. 1907, c. 58. 1909, c. 41.

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

2. Chapter 41 of the statutes of 1909 is hereby repealed. Repeal of former time limit.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W1.

An Act to incorporate The New Ontario and Quebec 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. Emil Andrew Wallberg, of the city of Montreal, contractor, Lewis Miller Wood, of the city of Toronto, manager, Thomas Henry Watson, of the city of Toronto, manufacturer, Frederick John Bell, of the town of Cobalt, in the province of Ontario, electrical engineer, and Edward Cyrus Warren of the city of Montreal, mechanical engineer, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Ontario and Quebec Railway Company," hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

3. 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.

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

Annual meeting.

5. The annual meeting of the shareholders shall be held on the third Wednesday 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.

Lines of railway described.

7. 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:—

(*a*) from a point on the National Transcontinental railway in the province of Quebec, near mileage nine hundred and forty, thence southerly around the east end of Upper Lake Abitibi, a distance of about fifteen miles, thence westerly through or near the town of Matheson, Ontario, to a point in the township of Tisdale, Ontario, a distance of about ninety-five miles, thence south-westerly to a junction with the James Bay railway at or near Congdon station, or mileage one hundred and thirty-one, a distance of about fifty miles, making a total distance of about one hundred and sixty miles;

(*b*) from a point on the National Transcontinental railway near mileage one thousand, southerly along the west side of Abitibi Lakes to a junction with the line described in paragraph (*a*), being a distance of about twenty-five miles.

(*c*) from Iroquois Falls station on the Temiskaming and Northern Ontario Railway northerly and easterly along the Abitibi River to a junction with the line described in paragraph (*b*), being a distance of about twenty-five miles.

Consent of municipalities.

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

Special powers.

9. The Company may, for the purposes of its undertaking, construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods, and merchandise, and construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may take and hold, either in the name of the Company or in the name of trustees for the Company, and dispose of, shares in any incorporated company having for one of its objects the exercise of any of the powers in this section contained.

Transmission and delivery of power and electricity.

R.S., c. 37.

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

Telegraphs and telephones.

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

R.S., c. 37.

Tolls and charges.

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

R.S. c., 126.

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

Special powers.

12. The Company may, for the purposes of its lines of railway and steamships, and in connection with its business and undertakings:—

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 such buildings, 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.

Issue of securities.

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.

Issue of securities for purposes other than building railway.

14. In addition to the securities authorized by section 13 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or develop-

R.S., c. 37.

ment of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limit of amount.

Agreements with other Companies.

15. Subject to the provisions of sections 361, 362, and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Temiskaming and Northern Ontario Railway Company, the Canadian Pacific Railway Company, and The Grand Trunk Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

W 1

An Act to incorporate The New Ontario and Quebec Railway Company.

Received and read a first time

Friday, 17th March, 1911.

Second reading

Wednesday, 22nd March, 1911.

Honourable MR. JAFFRAY.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W1.

AS PASSED BY THE SENATE 31st MARCH, 1911.

An Act to incorporate The New Ontario and Quebec Railway Company.

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

1. Emil Andrew Wallberg, of the city of Montreal, contractor, Lewis Miller Wood, of the city of Toronto, manager, Thomas Henry Watson, of the city of Toronto, manufacturer, Frederick John Bell, of the town of Cobalt, in the province of Ontario, electrical engineer, and Edward Cyrus Warren of the city of Montreal, mechanical engineer, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The New Ontario and Quebec Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

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

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

4. The head office of the Company shall be at the city of Montreal in the province of Quebec. Head office.

5. The annual meeting of the shareholders shall be held on the third Wednesday 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.

Lines of railway described.

7. 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:—

(*a*) from a point on the National Transcontinental railway in the province of Quebec, near mileage nine hundred and forty, thence southerly around the east end of Upper Lake Abitibi, a distance of about fifteen miles, thence westerly through or near the town of Matheson, Ontario, to a point in the township of Tisdale, Ontario, a distance of about ninety-five miles, thence south-westerly to a junction with the James Bay railway at or near Congdon station, or mileage one hundred and thirty-one, a distance of about fifty miles, making a total distance of about one hundred and sixty miles;

(*b*) from a point on the National Transcontinental railway near mileage one thousand, southerly along the west side of Abitibi Lakes to a junction with the line described in paragraph (*a*), being a distance of about twenty-five miles.

(*c*) from Iroquois Falls station on the Temiskaming and Northern Ontario Railway northerly and easterly along the Abitibi River to a junction with the line described in paragraph (*b*), being a distance of about twenty-five miles.

Consent of municipalities.

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

Special powers.

9. The Company may, for the purposes of its undertaking, construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods, and merchandise, and construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith.

Transmission and delivery of power and electricity.

R.S., c. 37.

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

Telegraphs and telephones.

11. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone

lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies. R.S., c. 37.

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

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

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

13. The Company may, for the purposes of its lines of railway and steamships, and in connection with its business and undertakings:— Special powers.

(*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 such buildings, lands, facilities or business; Hotels and restaurants.

(*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. Parks.

Issue of securities.

14. 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 for purposes other than building railway.

15. In addition to the securities authorized by section 14 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

R.S., c. 37.

Limit of amount.

Agreements with other Companies.

16. Subject to the provisions of sections 361, 362, and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Temiskaming and Northern Ontario Railway Company, the Canadian Pacific Railway Company, and The Grand Trunk Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X[1].

An Act for the relief of Mary Jane Beatty.

Preamble.

WHEREAS Mary Jane Beatty, presently residing at the city of Montreal, in the province of Quebec, wife of Herbert Alfred Beatty, formerly of the said city of Montreal, presently of the city of New York, in the state of New York, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the sixth day of February, A.D. 1890, at the city of Buffalo, in the said state, she then being Mary Jane Mackin, spinster; that the legal domicile of the said Herbert Alfred Beatty was then and is now in Canada; that at the said city of New York, on or about the first day of April, A.D. 1910, he committed adultery with Harriet Landsmann; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mary Jane Mackin and Herbert Alfred Beatty, 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 Mary Jane Mackin may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Herbert Alfred Beatty had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

X1

An Act for the relief of Mary Jane Beatty.

Received and read a first time

Thursday, 23rd March, 1911.

Second reading

Tuesday, 28th March, 1911.

Honourable Mr. Mitchell.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X1.

AS PASSED BY THE SENATE 29th MARCH, 1911.

An Act for the relief of Mary Jane Beatty.

Preamble

WHEREAS Mary Jane Beatty, presently residing at the city of Montreal, in the province of Quebec, wife of Herbert Alfred Beatty, formerly of the said city of Montreal, presently of the city of New York, in the state of New York, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the sixth day of February, A.D. 1890, at the city of Buffalo, in the said state, she then being Mary Jane Mackin, spinster; that the legal domicile of the said Herbert Alfred Beatty was then and is now in Canada; that at the said city of New York, on or about the first day of April, A.D. 1910, he committed adultery with Harriet Landsmann; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved

1. The said marriage between Mary Jane Mackin and Herbert Alfred Beatty, 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 Mary Jane Mackin may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Herbert Alfred Beatty had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Y1.

An Act to incorporate The Quebec and Great 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. Rodolphe Chevrier, physician, Philip O'Reilly, financial agent, Patrick Clarke, capitalist, and Edward J. Daly, solicitor, all of the city of Ottawa, in the county of Carleton and province of Ontario, and Joseph Bourque, of the city of Hull, in the county of Wright, in the province of Quebec, contractor, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Quebec and Great North Western Railway Company" hereinafter called "the Company."

Corporate name.

Provisional directors.

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

Capital stock.

Calls.

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

Head office.

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

Annual meeting.

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

Directors.

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

Lines of railway described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches—

(*a*) from a point at or near Port Arthur in the province of Ontario thence in an easterly direction to a point at or near New Liskeard in the said province, thence easterly to a point to be determined between Baskatong Lake and the town or village of Maniwaki in the province of Quebec, and continuing easterly to a point at or near the city of Quebec;

(*b*) from a point on the main line about seventy-five miles west of Maniwaki, northerly to connect with the National Transcontinental Railway, and southerly *viâ* the valley of the Coulonge River to a point at or near the city of Ottawa;

(*c*) from a point at or near New Liskeard to a point on the National Transcontinental Railway east of Lake Abittibi;

(*d*) from a point near New Liskeard southerly to Timiskaming Station;

(*e*) from a point at or near the intersection of the Missinaibi River, in the province of Ontario, with the main line of the Company, to a point at or near Michipicoten on Lake Superior.

Consent of municipalities.

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

Transmission and delivery of power and electricity.

9. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor;

Approval by Railway Commission.

but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time.

Telegraphs and telephones.

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

Tolls and charges.a

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or

telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges from time to time.

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

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

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

Vessels, etc.

12. 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 and cargo on all navigable waters in the vicinity of its railway, and may enter into agreements with the owners of such vessels for any such purposes, and may generally carry on the business of ship owners and carriers by water in connection with its undertaking.

Lands, water-lots, works and buildings.

13. The Company may, for the purposes of its undertaking, construct, purchase, lease or otherwise acquire, hold, enjoy, manage, maintain and improve such lands, water-lots, wharves, piers, dams, docks, dock-yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for such purposes; and may 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; but no such wharfage or other dues shall be charged or taken until they have been approved of by the Board of Railway Commissioners for Canada, which may also revise such wharfage and other dues from time to time.

Warehousemen and wharfingers.

Wharfage dues.

Approval.

Hotels and restaurants.

14. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public.

Arrangement of bridges for use of ordinary traffic.

Tolls.

Approval.

Notice.

15. The Company may, subject to the provisions of *The Railway Act*, and subject also to the order of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and carriages, and in such case the tolls to be charged for the passage of foot passengers and carriages shall, before being imposed, be first submitted to and approved of, and may from time to time be revised by, the said Board; but the Company may at any time reduce the tolls; and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on such bridge.

Issue of securities.

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

Issue of securities for purposes other than building railway.

Limit of amount.

17. In addition to the securities authorized by section 16 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Purchase of stock or securities of other companies.

18. The Company may purchase the shares or securities of, and claims of all kinds against, any other company with which it is authorized to enter into an agreement, except a railway company; and may pay therefor partly or wholly in fully paid up shares, bonds, debentures or other securities of the Company.

Agreements with other companies.

19. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, The Canadian Northern Ontario Railway Company and The Canadian Northern Quebec Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Y 1

An Act to incorporate The Quebec and Great North Western Railway Company.

Received and read a first time

Friday, 24th March, 1911

Second reading

Wednesday, 29th March, 1911.

Honourable Mr. Belcourt.

OTTAWA

Printed by C. H. Parmelee

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Y1.

AS PASSED BY THE SENATE 2nd MAY, 1911.

An Act to incorporate The Quebec and Great 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.** Rodolphe Chevrier, physician, Philip O'Reilly, financial agent, Patrick Clarke, capitalist, and Edward J. Daly, solicitor, all of the city of Ottawa, in the county of Carleton and province of Ontario, and Joseph Bourque, of the city of Hull, in the county of Wright, in the province of Quebec, contractor, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Quebec and Great North Western 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 one million dollars and may be called up by the directors from time to time as they deem necessary, but no one call shall exceed ten per cent. on the shares subscribed. Calls.

Head office. **4.** The head office of the Company shall be in the city of Ottawa, in the province of Ontario.

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

Directors. **6.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches—

(*a*) from a point at or near Port Arthur in the province of Ontario in an easterly direction to a point at or near New Liskeard in the said province, thence easterly to a point to be determined between Baskatong Lake and the town or village of Maniwaki in the province of Quebec, and continuing easterly to a point at or near the city of Quebec;

(*b*) from a point on the main line about seventy-five miles west of Maniwaki, northerly to connect with the National Transcontinental Railway, and southerly *viâ* the valley of the Coulonge River to a point at or near the city of Ottawa;

(*c*) from a point at or near New Liskeard to a point on the National Transcontinental Railway east of Lake Abittibi;

(*d*) from a point near New Liskeard southerly to Timiskaming Station;

(*e*) from a point at or near the intersection of the Missinaibi River, in the province of Ontario, with the main line of the Company, to a point at or near Michipicoten on Lake Superior.

Consent of municipalities.

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

Transmission and delivery of power and electricity.

Approval by Railway Commission.

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

Telegraphs and telephones.

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

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

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

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

12. 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 and cargo on all navigable waters in the vicinity of its railway, and may enter into agreements with the owners of such vessels for any such purposes, and may generally carry on the business of ship owners and carriers by water in connection with its undertaking. Vessels, etc.

13. The Company may, for the purposes of its undertaking, construct, purchase, lease or otherwise acquire, hold, enjoy, manage, maintain and improve such lands, water-lots, wharves, piers, dams, docks, dock-yards, slips, warehouses, elevators, offices and other buildings as it finds necessary and convenient for such purposes; and may 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; but no such wharfage or other dues shall be charged or taken until they have been approved of by the Board of Railway Commissioners for Canada, which may also revise such wharfage and other dues from time to time. Lands, water-lots, works and buildings. Warehousemen and wharfingers. Wharfage dues. Approval.

14. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public. Hotels and restaurants.

Arrangement of bridges for use of ordinary traffic.

Tolls.

Approval.

Notice.

15. The Company may, subject to the provisions of *The Railway Act*, and subject also to the order of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and carriages, and in such case the tolls to be charged for the passage of foot passengers and carriages shall, before being imposed, be first submitted to and approved of, and may from time to time be revised by, the said Board; but the Company may at any time reduce the tolls; and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on such bridge.

Issue of securities.

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

Issue of securities for purposes other than building railway.

Limit of amount.

17. In addition to the securities authorized by section 16 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Agreements with other companies.

18. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, The Canadian Northern Ontario Railway Company and The Canadian Northern Quebec Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Z1.

An Act for the relief of Walter Harvey Kirkland.

Preamble.

WHEREAS Walter Harvey Kirkland, of the town of St. Johns, in the province of Quebec, manufacturer's agent, has by his petition alleged, in effect, that on the sixth day of April, A.D., 1902, at the city of Montreal, in the province of Quebec, he was lawfully married to Eva Ida Browning; that she was then of the said city of Montreal, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Montreal, in the month of March, A.D. 1910, she frequented a house of prostitution and ill-fame and there committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Walter Harvey Kirkland and Eva Ida Browning, 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 Walter Harvey Kirkland may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Eva Ida Browning had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Z1

An Act for the relief of Walter Harvey Kirkland.

Received and read a first time

Friday, 24th March, 1911.

Second reading

Wednesday, 29th March, 1911.

Honourable MR. MITCHELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Z1.

AS PASSED BY THE SENATE 30th MARCH, 1911.

An Act for the relief of Walter Harvey Kirkland.

Preamble.

WHEREAS Walter Harvey Kirkland, of the town of St. Johns, in the province of Quebec, manufacturer's agent, has by his petition alleged, in effect, that on the sixth day of April, A.D., 1902, at the city of Montreal, in the province of Quebec, he was lawfully married to Eva Ida Browning; that she was then of the said city of Montreal, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Montreal, in the month of March, A.D. 1910, she frequented a house of prostitution and ill-fame and there committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Walter Harvey Kirkland and Eva Ida Browning, 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 Walter Harvey Kirkland may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Eva Ida Browning had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A2.

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

Preamble.

1903, c. 135.
1905, c. 111.
1909, c. 93.

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

Extension of authorized line.

1903, c. 135, s. 8.

1. The Joliette and Lake Manuan Colonization Railway Company, hereinafter called "the Company", may lay out, construct and operate an extension of the railway of the Company authorized by section 8 of chapter 135 of the statutes of 1903, from the point of commencement thereof in or near the town of Joliette in the province of Quebec, southerly through the south eastern part of the county of Montcalm, thence southerly through the county of L'Assomption, thence southerly through the county of Hochelaga into the city of Montreal.

Limitation of time for construction.

2. The Company may, within two years after the passing of this Act, commence the construction of the said railway authorized by section 8 of chapter 135 of the statutes of 1903, and of the extension thereof authorized by section 1 of this Act, and expend fifteen per cent of its capital stock thereon, and may, within five years after the passing of this Act, complete and put in operation the said railway and extension; and if, within the said periods respectively, the said railway and extension are not commenced and such expenditure is not so made, or if the said railway and extension are not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway and extension as then remains uncompleted.

Bond issue increased.

3. The Company may issue bonds, debentures, or other securities to the extent of thirty-five thousand dollars per mile of the said railway and extension, and such bonds, debentures and other securities may be issued only in proportion to the

length of the railway constructed or under contract to be constructed.

Repeal.

4. Section 10 of chapter 135 of the statutes of 1903 and chapter 93 of the statutes of 1909 are hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

A2

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

Received and read a first time

Tuesday, 28th March, 1911.

Second reading

Friday, 31st March, 1911.

Honourable Mr. TALBOT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A2.

AS PASSED BY THE SENATE 25th APRIL, 1911.

An Act respecting The Joliette and Lake Manuan Colonization Railway Company.

WHEREAS the Joliette and Lake Manuan Colonization Railway Company has, by its petition, prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 135. 1905, c. 111. 1909, c. 93.

1. The Joliette and Lake Manuan Colonization Railway Company, hereinafter called "the Company", may lay out, construct and operate an extension of the railway of the Company authorized by section 8 of chapter 135 of the statutes of 1903, from the point of commencement thereof in or near the town of Joliette in the province of Quebec, southerly through the south eastern part of the county of Montcalm, thence southerly through the county of L'Assomption, thence southerly through the county of Hochelaga into the city of Montreal. Extension of authorized line. 1903, c. 135, s. 8.

2. The Company may, within two years after the passing of this Act, commence the construction of the said railway authorized by section 8 of chapter 135 of the statutes of 1903, and of the extension thereof authorized by section 1 of this Act, and expend fifteen per cent of its capital stock thereon, and may, within five years after the passing of this Act, complete and put in operation the said railway and extension; and if, within the said periods respectively, the said railway and extension are not commenced and such expenditure is not so made, or the said railway and extension are not completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway and extension as then remains uncompleted. Limitation of time for construction.

3. The Company may issue bonds, debentures, or other securities to the extent of thirty-five thousand dollars per mile Bond issue increased.

of the said railway and extension, and such bonds, debentures and other securities may be issued only in proportion to the length of the railway constructed or under contract to be constructed.

Repeal.

4. Section 10 of chapter 135 of the statutes of 1903 and chapter 93 of the statutes of 1909 are hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B2.

An Act for the relief of Robert William Logan.

Preamble.

WHEREAS Robert William Logan, of the city of Montreal, in the province of Quebec, agent, has by his petition alleged, in effect, that on the ninth day of September, A.D. 1890, at the said city of Montreal, he was lawfully married to Sophia Louise Meyers; that she was then of the said city of Montreal, a spinster; that his legal domicile was then and now is in Canada; that at the city of Jamestown, in the state of New York, U.S.A., on or about the second day of November, A.D. 1910, she was living in adultery with one William E. Green otherwise known as Louis Lavallé; that at the city of Scranton, in the state of Pennsylvania, U.S.A., on or about the twelfth day of December, A.D., 1910, she was so living with the said Green; and that at the city of Hamilton, in the province of Ontario, on or about the fifteenth day of February, A.D. 1911, she was so living with the said Green; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Robert William Logan, and Sophia Louise Meyers, 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 Robert William Logan, may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Sophia Louise Meyers had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

B_2

An Act for the relief of Robert William Logan.

Received and read a first time,

Wednesday, 29th March, 1911.

Second reading,

Friday, 31st March, 1911.

Honourable Mr. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B2.

AS PASSED BY THE SENATE 4th APRIL, 1911.

An Act for the relief of Robert William Logan.

Preamble.

WHEREAS Robert William Logan, of the city of Montreal, in the province of Quebec, agent, has by his petition alleged, in effect, that on the ninth day of September, A.D. 1890, at the said city of Montreal, he was lawfully married to Sophia Louise Meyers; that she was then of the said city of Montreal, a spinster; that his legal domicile was then and now is in Canada; that at the city of Jamestown, in the state of New York, one of the United States, on or about the second day of November, A.D. 1910, she was living in adultery with one William E. Green otherwise known as Louis Lavallé; that at the city of Scranton, in the state of Pensylvania, one of the United States, on or about the twelfth day of December, A.D. 1910, she was so living with the said Green; and that at the city of Hamilton, in the province of Ontario, on or about the fifteenth day of February, A.D. 1911, she was so living with the said Green; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Robert William Logan and Sophia Louise Meyers, 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 Robert William Logan may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Sophia Louise Meyers had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL C2.

An Act respecting a patent of The Boiler Flue Cleaner and Supply Company, Limited.

Preamble.

WHEREAS The Boiler Flue Cleaner and Supply Company, Limited, having its head office at the city of Toronto in the province of Ontario, has, by its petition, represented that it is the holder and owner of a certain patent number 89,841, dated the first day of November, 1904, issued to William Eichelberger, Herman Jacob Hoelsche and Delos Hibner under the seal of the Patent Office for improvements in soot cleaners for steam boilers, and assigned to the said company by several mesne assignments of record in the Patent Office; 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:—

Power to Commissioner of Patents to receive fee and extend duration of patent.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the commissioner of patents may receive from The Boiler Flue Cleaner and Supply 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 as provided for by *The Patent Act*, and an extension of the period of duration of the said patent to the full term of eighteen years from the date thereof, 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.

R.S., c. 69, s. 23.

Saving of rights acquired.

2. If any person has, in the period between the expiry of six years from the date of the said patent, and the day of , 1911, commenced to manufacture, use or sell, in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

C2

An Act respecting a patent of The Boiler Flue Cleaner and Supply Company, Limited.

Received and read a first time

Wednesday, 29th March, 1911.

Second reading

Friday, 31st March, 1911.

Honourable Mr. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL C2.

AS PASSED BY THE SENATE 28th APRIL, 1911.

An Act respecting a patent of The Boiler Flue Cleaner and Supply Company, Limited.

Preamble.

WHEREAS The Boiler Flue Cleaner and Supply Company, Limited, having its head office at the city of Toronto in the province of Ontario, has, by its petition, represented that it is the holder and owner of a certain patent number 89,841, dated the first day of November, 1904, issued to William Eichelberger, Herman Jacob Hoelsche and Delos Hibner under the seal of the Patent Office for improvements in soot cleaners for steam boilers, and assigned to the said company by several mesne assignments of record in the Patent Office; 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:—

Power to Commissioner of Patents to receive fee and extend duration of patent.

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the commissioner of patents may receive from The Boiler Flue Cleaner and Supply 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 as provided for by *The Patent Act*, and an extension of the period of duration of the said patent to the full term of eighteen years from the date thereof, 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.

R.S., c. 69, s. 23.

Saving of rights acquired.

2. If any person has, in the period between the expiry of six years from the date of the said patent, and the eleventh day of February, 1911, commenced to manufacture, use or sell, in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL D2.

An Act respecting The Canada Cement Company, Limited.

Preamble. R.S., c. 79.

WHEREAS The Canada Cement Company, Limited, incorporated by Letters Patent under Part I of *The Companies Act*, has by its petition 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:—

Power to create 5 per cent debenture stock.

1. The Canada Cement Company, Limited, may, by resolution passed by its shareholders at a special general meeting called for the purpose of considering the same, create debenture stock bearing interest or dividends at the rate of five per centum per annum, to the aggregate par value of eleven million dollars, comprising one hundred and ten thousand shares of the par value of one hundred dollars each, or its equivalent in sterling money at the fixed rate of exchange of four dollars and eighty six cents and two-thirds of a cent to the pound sterling, or in francs, French or Belgian, at the fixed rate of exchange of twenty-five francs and sixteen hundredths of a franc to the pound sterling, or partly in one denomination and partly in the other denominations, and with or without interest or dividend coupons attached as may be determined in the resolution creating the same.

Amount.

Shares.

Incidents and conditions.

2. The rights, privileges and conditions following shall attach to the said debenture stock:—

Time, rate and purposes of issues.

(*a*) The said shares of debenture stock shall be issued by the directors of the Company, from time to time, at not less than par, in exchange for or to provide funds to purchase the issued and outstanding shares of the Company's seven per cent cumulative preference stock, which preference shares when so purchased or acquired shall be forthwith cancelled and shall not be re-issued. For each amount of debenture stock issued a like amount of preference stock must be redeemed and cancelled.

Cancellation of preference shares purchased therewith.

Issue at par or at a premium.

(*b*) Such debenture stock may be issued subject to redemption by the Company in whole or in part, at any time, at par, or with such premium as the shareholders by the resolution creating such debenture stock have determined; but all

Issues to rank equally.

shares of debenture stock shall be issued upon the same terms and conditions and shall rank *pari passu*, and without priority or any other preference of one share over another share, from the date of issue thereof.

Rank as regards preference shares.

(*c*) Such debenture stock when issued shall rank, both as to capital and as to interest or dividends, in priority to the outstanding preference shares, and may be secured, as to capital or as to interest or dividends, or as to both capital

Security.

and interest or dividends, by deed of trust or by conveyances, mortgages and hypothecs ancillary thereto, whereby the whole or any part of the property, assets and undertakings, present or future, of the Company may be mortgaged, hypothecated or charged, as the directors may determine, and upon such terms and conditions as they may deem

Rank as regards bonds.

proper; but such debenture stock when issued shall rank subsequent to any bonds of the Company then or at any time thereafter issued and outstanding.

Power to issue debenture stock certificates.

3. The directors may issue in the name of the Company debenture stock certificates, with or without interest or dividend coupons attached, and payable to bearer or otherwise, for all or any shares of debenture stock issued under the provisions of this Act.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

D2

An Act respecting The Canada Cement Company, Limited.

Received and read a first time

Wednesday, 29th March, 1911.

Second reading

Friday, 31st March, 1911.

Honourable Mr. BÉIQUE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL D2.

AS PASSED BY THE SENATE 5th MAY, 1911.

An Act respecting The Canada Cement Company, Limited.

WHEREAS The Canada Cement Company, Limited, incorporated by Letters Patent under Part I of *The Companies Act*, has by its petition 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. R.S., c. 79.

1. The Canada Cement Company, Limited, may, by by-law passed or sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the company present or represented at a special general meeting duly called for considering the same, create debenture stock bearing interest or dividends at the rate of five per centum per annum, to the aggregate par value of eleven million dollars, comprising one hundred and ten thousand shares of the par value of one hundred dollars each, or its equivalent in sterling money at the fixed rate of exchange of four dollars and eighty six cents and two-thirds of a cent to the pound sterling, or in francs, French or Belgian, at the fixed rate of exchange of twenty-five francs and sixteen hundredths of a franc to the pound sterling, or partly in one denomination and partly in the other denominations, and with or without interest or dividend coupons attached as may be determined in the by-law creating the same. Power to create 5 per cent debenture stock. Amount. Shares.

2. The rights, privileges and conditions following shall attach to the said debenture stock:— Incidents and conditions.

(*a*) The said shares of debenture stock shall be issued by the directors of the Company, from time to time, at not less than par, in exchange for or to provide funds to purchase the issued and outstanding shares of the Company's seven Time, rate and purposes of issues.

Cancellation of preference shares purchased therewith.

per cent cumulative preference stock, which preference shares when so purchased or acquired shall be forthwith cancelled and shall not be re-issued. For each amount of debenture stock issued a like amount of preference stock must be redeemed and cancelled.

Allotment.

(*b*) Such debenture stock, as and when so issued from time to time, shall be allotted at such price, not less than par, as the directors shall determine, to the then outstanding preference shareholders of the Company *pro rata;* and any of such allotted debenture stock which is not taken up by a shareholder to whom such allotment has been made, within two months after notice of such allotment has been mailed to his address, or which he declines to accept, may be allotted to all other preference shareholders willing to exchange their preference stock for such debenture stock *pro rata*, or be sold or disposed of to provide funds to purchase outstanding preference shares.

Issue at par or at a premium.

(*c*) Such debenture stock may be issued subject to redemption by the Company in whole or in part, at any time, at par, or with such premium as the shareholders by the resolution creating such debenture stock have determined; but all shares of debenture stock shall be issued upon the same terms and conditions and shall rank *pari passu*, and without priority or any other preference of one share over another share, from the date of issue thereof.

Issues to rank equally.

Rank as regards preference shares.

(*d*) Such debenture stock when issued shall rank, both as to capital and as to interest or dividends, in priority to the outstanding preference shares, and may be secured, as to capital or as to interest or dividends, or as to both capital and interest or dividends, by deed of trust or by conveyances, mortgages and hypothecs ancillary thereto, whereby the whole or any part of the property, assets and undertakings, present or future, of the Company may be mortgaged, hypothecated or charged, as the directors may determine, and upon such terms and conditions as they may deem proper; but such debenture stock when issued shall rank subsequent to any bonds of the Company then or at any time thereafter issued and outstanding.

Security.

Rank as regards bonds.

Power to issue debenture stock certificates.

3. The directors may issue in the name of the Company debenture stock certificates, with or without interest or dividend coupons attached, and payable to bearer or otherwise, for all or any shares of debenture stock issued under the provisions of this Act.

Creditors' rights saved.

4. Nothing in this Act shall be deemed to lessen or impair in any way the rights, as a creditor, of any person who, at the time of the cancellation and redemption of any such preference stock, is a creditor of the Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL E2.

An Act to confer on the Commissioner of Patents certain powers for the relief of Trussed Concrete Steel Company of Canada.

WHEREAS Trussed Concrete Steel Company of Canada, Limited, of Walkerville in the province of Ontario, hereinafter called "the Canadian Company," has by its petition represented that, under an agreement with Trussed Concrete Steel Company of Detroit, Michigan, hereinafter called "the Michigan Company," it acquired all the patent rights which the Michigan Company had in Canada, and all future patents of Canada and r ghts to obtain patents in Canada which the Michigan Company might acquire; that the Michigan Company, under an assignment from Julius Kahn and Thomas H. Kane, the inventors thereof, acquired the right to obtain a patent for a new and useful improvement in window frames, and the Michigan Company obtained a patent of the United States of America for such invention, being No. 933,908 and dated the fourteenth day of September, 1909, being the first foreign patent for such invention; that the Canadian Company believed that application for a patent for such invention had been made in Canada by the M chigan Company, and that upon its being granted the Canadian patent would be transferred to the Canadian Company, and the Michigan Company assumed that the Canadian Company were making such application; that the Canadian Company has only recently become aware that no such application had been made by the Michigan Company, and when it became so aware the time within which the application should be made for a patent under the provisions of *The Patent Act* had elapsed; that the Canadian Company has now, with the consent of the Michigan Company, obtained a formal assignment of the said patent rights from the said inventors, and has now filed an application with the Commissioner of Patents for a patent for said invention; and whereas the said Trussed Concrete Steel Company of Canada, 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

Preamble.

R S., c. 69.

the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of time for application for patent.

1. Notwithstanding anything to the contrary in *The Patent Act*, the Commissioner of Patents may grant and issue to Trussed Concrete Steel Company of Canada, Limited, a patent for the said invention in pursuance of the said application, as if the said application had been duly received by the Commissioner of Patents before the fourteenth day of September, 1910, and as if the assignment of the said patent from the said Julius Kahn and Thomas H. Kane had been made before the said date.

Saving of rights acquired.

2. If any person has, in the period between the fourteenth day of September, 1909, and the date of the issue of the patent by this Act authorized to be issued, commenced to manufacture, use or sell such invention, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

E2

An Act to confer on the Commissioner of Patents certain powers for the relief of Trussed Concrete Steel Company of Canada, Limited.

Received and read a first time

Thursday, 30th March, 1911.

Second reading

Tuesday 4th April, 1911.

Honourable Mr. CAMPBELL.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL E2.

AS PASSED BY THE SENATE 27th APRIL, 1911.

An Act to confer on the Commissioner of Patents certain powers for the relief of Trussed Concrete Steel Company of Canada, Limited.

Preamble.

WHEREAS Trussed Concrete Steel Company of Canada, Limited, of Walkerville in the province of Ontario, hereinafter called "the Canadian Company," has by its petition represented that, under an agreement with Trussed Concrete Steel Company of Detroit, Michigan, hereinafter called "the Michigan Company," it acquired all the patent rights which the Michigan Company had in Canada, and all future patents of Canada and rights to obtain patents in Canada which the Michigan Company might acquire: that the Michigan Company, under an assignment from Julius Kahn and Thomas H. Kane, the inventors thereof, acquired the right to obtain a patent for a new and useful improvement in window frames, and the Michigan Company obtained a patent of the United States of America for such invention, being No. 933,908 and dated the fourteenth day of September, 1909, being the first foreign patent for such invention; that the Canadian Company believed that application for a patent for such invention had been made in Canada by the Michigan Company, and that upon its being granted the Canadian patent would be transferred to the Canadian Company, and the Michigan Company assumed that the Canadian Company were making such application: that the Canadian Company has only recently become aware that no such application had been made by the Michigan Company, and when it became so aware the time within which the application should be made for a patent under the provisions of *The Patent Act* had elapsed; that the Canadian Company has now, with the consent of the Michigan Company, obtained a formal assignment of the said patent rights from the said inventors, and has now filed an application with the Commissioner of Patents for a patent for said invention; and whereas the said Trussed Concrete Steel Com-

R.S., c. 69

pany of Canada, 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:—

Extension of time for application for patent.

1. Notwithstanding anything to the contrary in *The Patent Act*, the Commissioner of Patents may grant and issue to Trussed Concrete Steel Company of Canada, Limited, a patent for the said invention in pursuance of the said application, as if the said application had been duly received by the Commissioner of Patents before the fourteenth day of September, 1910, and as if the assignment of the said patent from the said Julius Kahn and Thomas H. Kane had been made before the said date.

Saving of rights acquired.

2. If any person has, in the period between the fourteenth day of September, 1909, and the date of the issue of the patent by this Act authorized to be issued, commenced to manufacture, use or sell such invention, such person may continue to manufacture, use or sell such invention in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL F2.

An Act to incorporate The Nipigon-Albany Canal and Transportation 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. George Alexander Graham, vessel owner, George McEdward, gentleman, Norman McLeod Patterson, grain merchant, James Preston Jones, grain merchant, and William Arthur Dowler, barrister, all of the city of Fort William, in the district of Thunder Bay, in the province of Ontario, together with such other persons as become shareholders in the Company, are hereby incorporated under the name of "The Nipigon-Albany Canal and Transportation Company", hereinafter called "the Company".

Declaration.

2. The undertaking of the Company is hereby declared to be a work for the general advantage of Canada.

Provisional directors.

3. The persons named in section 1 of this Act are hereby constituted provisional directors of the Company.

Capital stock.
Calls.

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.

Head office.

5. The head office of the Company shall be at the city of Fort William in the district of Thunder Bay.

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 be not less than five, nor more than nine, one or more of whom may be paid directors.

Undertaking described.

8. The Company may construct, maintain and operate a system of waterways and canals for carrying passengers and goods from Lake Superior to James Bay by the following route, namely, from Nipigon Bay on Lake Superior, by way of the Nipigon River and the lakes therein, to Lake Nipigon, thence northerly to the Albany River by the most feasible route, thence, by way of the Albany River and the lakes therein, to James Bay.

Route.

Powers.

9. For the purposes of its undertaking the Company may—

Improvement of waterways.

(*a*) utilize, deepen, widen, or otherwise improve the waterways, rivers and streams along the route of the said system;

Incidental works.

(*b*) construct, maintain, and operate by any kind of motive power, all channels, diversions, connections, feeders, aqueducts, reservoirs, basins, locks, dams, tow-paths, and other works incidental to the construction, maintenance and operation of the said system, including the supply of water thereto and the regulation of water therein;

Water supply.

(*c*) obtain, take and use, during the construction and operation of the said system and works, incidental thereto, from the rivers, lakes, brooks, streams, watercourses, reservoirs, and other sources of water supply adjacent or near to the route of the said system, water sufficient for the purposes of constructing, maintaining, operating and using the said system and works, and sufficient to establish and maintain a current at the rate on the average of three miles per hour through the navigable channel of the said system; and the Company shall, in the exercise of the powers granted by this paragraph, do as little damage as possible, and shall make full compensation to all persons interested for all damage by them sustained by reason of the exercise of such powers; and such damage in case of disagreement shall be settled in the same manner as is provided for fixing compensation under the provisions of *The Railway Act*;

Quantity.

Compensation.

R.S., c. 37.

Taking of lands and materials.

(*d*) Subject to the provisions of this Act and of *The Railway Act*, enter upon and take such lands as are necessary and proper for constructing, maintaining, operating and using the said system and other works of the Company hereby authorized; dig, cut, trench, get, remove, take, carry away, and lay earth, clay, stone, soil, rubbish, trees, roots of trees, beds of gravel, or sand, or any other matters or things which may be dug or got in making the said system and other works, on or out of any lands adjoining or lying convenient thereto, and which may be proper, requisite or necessary, for making or repairing the said system or works, or which may hinder, prevent or obstruct the making, using, completing, extending or maintaining the same, respectively, according to the intent and purposes of this Act;

Bridges, etc.

(*e*) construct, alter, maintain and operate all necessary bridges or other means of passage over, under or through the said system or any work incidental thereto;

(*f*) build, purchase, lease, or otherwise acquire, charter, navigate, use and dispose of vessels of all kinds, and operate them, by any kind of motive power, on the said system or on any waters connecting therewith; Vessels.

(*g*) construct, purchase, lease or otherwise acquire, use, operate, lease or otherwise dispose of, terminals, harbours, docks, wharves, and other harbour works, dry docks, graving docks, slips, and other works for building and repairing vessels, and lands, water-lots and water-rights necessary therefor, and elevators and handling plant of all kinds for use in connection therewith; Terminals, harbours, dry docks, etc.

(*h*) enter into agreements with any company having similar powers, for the use, by either company or by both jointly, of any of such property, whether of the Company or of such other company, as is mentioned in paragraph (*g*) of this section, or for such use of any rights of either company with regard to such property; Agreements for use of terminals, etc

(*i*) carry on the business of warehousemen, wharfingers and forwarders; Warehousemen and forwarders.

(*j*) construct, maintain and operate tramways, worked by electricity or other power, to and from any of the Company's mines, timber limits, works or places of business; Tramways.

(*k*) subject to the provisions of *The Railway Act*, excepting such provisions thereof as relate to the expropriation of lands, construct, maintain and operate all such railway sidings, switches or spur lines, not exceeding fifteen miles in length, as are necessary to connect any property of the Company with any other property of the Company or with any line of railway; Railway sidings, etc.

(*l*) construct, purchase, lease or otherwse acquire, erect, maintain, use and operate all works, structures, buildings, machinery, plant, apparatus and appliances required for or of advantage in the construction, maintenance, operation or development of the Company's undertaking; Works, etc., requisite for undertaking.

(*m*) build, purchase, lease or otherwise acquire, hotels, restaurants or houses of entertainment along the route of the said system, and carry on such business therein, or in connection therewith, as is necessary for the comfort and convenience of travellers, and lease any such building, or any part thereof, for any of the purposes of such business. Hotels, etc.

10. The Company may ask, demand, take and recover for all vessels, passengers and goods transported upon the said system, or vessels using it, or other service rendered by the Company, such tolls as the Company or its directors from time to time by by-law determine; and no tolls of any description shall be levied or taken by the Company until they have been approved of by the Governor in Council. Tolls. Approval of Governor in Council.

2. All tolls shall, under the same circumstances, be charged equally to all persons for all goods and services of a like character, and no reduction or advance on any such tolls shall be Tolls to be charged equally.

made, either directly or indirectly, in favour of or against any particular person or company using the system or works of the Company.

Approval of plans.

11. The Company shall not break ground nor commence the construction of the said system or of any of the works incidental thereto, unless and until plans thereof, showing the locations, dimensions and all necessary particulars have been submitted to and have received the approval of The Waterways' Commission and have also been submitted to the Minister of Railways and Canals and have received the approval of the Governor General in Council.

Crossing highways.

12. The Company shall, at each and every place where the said system, or any work incidental thereto, crosses any highway or public road (unless exempted from the provisions of this section, so far as any highway or public road is in use, by the municipality having jurisdiction over such highway or public road) construct and maintain to the satisfaction of the Minister of Railways and Canals, a bridge, tunnel, ferry or other means of passage, so that the public thoroughfare may be as little impeded as reasonably necessary; and the Company shall not, in constructing the said system, or any such work, cut through or interrupt the passage on any highway or public road until the Company has made a convenient road past its works for the use of the public; and for every day on which it neglects to comply with the requirements of this section, the Company shall incur a penalty of one hundred dollars.

Amount of land to be taken.

13. The lands to be taken or used, without the consent of the proprietors, for the said system and the works incidental thereto, shall not exceed such lands as may be necessary for the proper construction, operation and maintenance of the said system and works incidental thereto, including lands, lands covered or partly covered by water, and water areas necessary at places where such works are required as necessary parts of the system as shown on the plans to be approved as hereinbefore provided.

Interference with drains and watercourses.

14. The Company shall make due provision for, take care of and dispose of, all water and drainage, to the extent to which it disturbs or interferes with artificial drains, natural streams or watercourses which the said system or any work incidental thereto crosses, touches or interferes with, and which are in existence at the time of the construction thereof.

Settlement of disputes.

2. All subsequent questions, disputes or complaints as to the construction of new drains, and as to the alteration, enlargement and change of existing drains and of natural streams or watercourses, and as to who shall make such alteration, enlargement and change, and by whom the expense thereof shall be

paid, and also any complaint or dispute as to the sufficiency of compliance with the provisions of the next preceding subsection, shall be inquired into, heard and determined by the Board of Railway Commissioners for Canada, in the same manner as is provided for other matters to be inquired into, heard and determined by the said Board under *The Railway Act*.

Powers to make urgent repairs.

15. In case of any accident requiring immediate repair on the said system or any work incidental thereto, the Company may enter upon the adjoining land, provided such land is not an orchard or garden, and may dig for, work, get, and carry away and use such gravel, stone, earth, clay or other materials, as may be necessary for the repair of such accident, doing as little damage as possible to such land, and making compensation therefor.

Compensation.

Settlement of compensation for lands.

16. When the Company and the owners or occupiers of private property entered upon cannot agree as to the compensation for the lands required for the construction, maintenance or operation of the said system or of any work incidental thereto, or for damages to lands injured by the Company, the matter shall be settled in the same manner as is provided for obtaining title and fixing compensation under *The Railway Act*, so far as the same may be applicable; provided that the Governor in Council may from time to time, by regulation, vary or modify the provisions of *The Railway Act* in this regard, so far as they apply to the works under this Act, in such manner as experience may prove expedient.

Removal of sunken or grounded vessels.

17. If any vessel is sunk or grounded in any part of the said system or in any approach thereto, and if the owner or master thereof neglects or refuses to remove it forthwith, the Company may forthwith proceed to have it raised or removed, and may retain possession of it until the charges and expenses necessarily incurred by the Company in so raising and removing it are paid and satisfied; and the Company may sue for and recover in any court of competent jurisdiction such charges and expenses from the owner or master of such vessel.

Transmission and delivery of power and electricity.

18. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place on the said system or works and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time.

Telegraphs and telephones.

19. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines along its system and works and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to any such companies.

Tolls and charges.

2. No toll or charge shall be demanded or taken for the transmission of any messages, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges from time to time.

R.S., c. 126.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

20. Nothing in this Act, or in the *Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the distribution of electricity for lighting, heating or motor purposes, or disposing of the surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across 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; nor shall anything in either of the said Acts authorize the Company to sell, dispose of or distribute power or energy within, or for use within, the limits of any municipality without the consent, expressed by by-law, of such municipality.

Express business.

21. The Company may, subject to the provisions of *The Railway Act*, carry on the business of an express company upon and in connection with the said system, and establish offices therefor, and undertake the carriage of goods by express, and collect tolls therefor; and for the purposes of operating such express business may, subject to the provisions of the said Act, enter into contracts with other companies for the carriage of such goods and for through rates, and may lease its express rights and privileges to any such companies.

Issue of securities for purposes other than building railway.

22. The directors of the Company, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of the said system or of any of such other properties, assets, or works, as the Company is authorized to

acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limit of amount.

23. Subject to the provisions of this Act and of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with any company or companies having powers similar to those of the Company.

Agreements with other companies.

R.S., c. 37.

24. Nothing in this Act shall be construed to prevent the Government of Canada from improving any waterway, river or stream, or shall give the Company any claim for damages by reason of any such improvement being made.

Government improvement.

25. His Majesty, His heirs and successors, may at any time assume the possession of, and the property in, the said system and works, and of and in all the rights, privileges and advantages of the Company, on giving to the Company one week's notice of intention to do so; and thereupon all property in the said system, works, rights, privileges and advantages shall become, and thenceforward shall be, vested in His Majesty, His heirs and successors, and by way of compensation His Majesty shall pay to the Company the value of the work actually done by the Company, up to the time of the giving of such notice, in surveying, and in making of plans, and otherwise upon the undertaking, together with the value of all tangible property of the Company of which possession may be so taken, such values to be fixed by three valuators, or the majority of them, one valuator to be chosen by His Majesty, another by the Company, and the third by the two so chosen.

Works may be taken over by Government.

26. If the construction of the said system is not commenced within five years and completed within ten years after the passing of this Act, the powers granted by this Act shall cease and be null and void, as respects so much of the said system as then remains uncompleted.

Time for construction limited.

27. *The Railway Act* shall, so far as applicable and when not inconsistent with this Act, apply to the Company and to its undertaking, and the Company shall have and may exercise all the powers conferred by *The Railway Act*, in so far as the said Act is applicable to the Company.

Application of R.S., c. 37.

2. Wherever in *The Railway Act*, the expression "railway" occurs, it shall, unless the context otherwise requires, in so far as it applies to this Act or to the Company, mean the system of waterways and canals by this Act authorized.

Interpretation "railway."

"land."

3. Wherever in *The Railway Act* the expression "land" occurs, it shall, in its application to this Act and to the Company include land covered or partly covered by water, and shall include any privilege or easement required by the Company for constructing, excavating, erecting, operating and maintaining the works authorized by this Act under, over or along any land or water, without the necessity of obtaining a title in fee simple thereto.

R.S., c. 79 not to apply.

28. Part II of *The Companies Act* shall not apply to the Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

F 2

An Act to incorporate The Nipigon-Albany Canal and Transportation Company.

Received and read a first time

Thursday, 30th March, 1911.

Second reading

Tuesday, 4th April, 1911.

Honourable Mr. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL G2.

An Act to incorporate the High River, Saskatchewan and Hudson Bay 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.

Corporate name.

1. H. N. Sheppard, F. Crandell, T. E. LeClaire, C. A. Gigot, and G. D. Stanley, all of High River in the province of Alberta, together with such persons as become shareholders in the company are hereby incorporated under the name of "The High River, Saskatchewan and Hudson Bay Railway Company," hereinafter called "the Company."

Provisional directors.

2. The persons named in section 1 of this Act are hereby constituted the 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 at High River in the province of Alberta.

Annual meeting.

5. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Directors.

6. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway described.

7. The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches, from a point in any of the townships twenty-five to twenty-nine, range one, west of the fourth meridian in the province of Alberta, thence north-easterly to the city of Saskatoon in the province of Saskatchewan, thence north-easterly to a point in or about

townships fifty-two to fifty-six on the easterly boundary of the province of Saskatchewan, thence north-easterly to The Pas in the Northwest Territories.

Vessels, wharves, etc.

8. The Company may, for the purposes of its undertaking, construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and may construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may take and hold, either in the name of the Company or in the name of some other persons as trustees for the Company, and dispose of shares in any incorporated company having for one of its objects the exercise of any of the powers in this section mentioned.

Transmission and delivery of power and electricity.

R.S., c. 37.

9. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time.

Telegraphs and telephones.

R.S., c. 37.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

Tolls and charges.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges from time to time.

R.S., c. 126.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act* or with this Act, shall apply to the telegraphic business of the Company.

Consent of municipalities required for

11. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or

telephone lines or any lines for the purpose of distributing electircity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality without the consent, expressed by by-law, of such municipality. telegraph and telephone lines upon highways, etc. R.S., c. 126.

12. 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 for railway.

13. In addition to the securities authorized by section 12 of this Act, the directors, if previously authorized as prescrlbed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminal, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made. Issue of securities for purposes other than railway. Limitation.

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the following companies for any of the purposes specified in the said section 361, such companies being The High River and Hudson Bay Railway Company, The Grand Trunk Pacific Railway Company, The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, and The Canadian Northern Railway Company. Agreements with other companies. Shares of other companies.

15. The Company may, for the purposes of its lines of railway and steamships, and in connection with its business and undertakings,— Special powers.

(*a*) build, purchase, lease or otherwise acquire, manage and 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 such business in connection therewith, and afford such facilities, as may tend to the comfort Hotels and restaurants.

and convenience of the travelling public; and may let any such buildings for any such purpose; 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 may enter into agreements with any such company respecting any of such buildings, 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.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

G

G2

An Act to incorporate The High River, Saskatchewan and Hudson Bay Railway Company.

Received and read a first time

Friday, 31st March, 1911.

Second reading

Wednesday, 5th April, 1911.

Honourable Mr. De Veber.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL G2.

AS PASSED BY THE SENATE 5th MAY, 1911.

An Act to incorporate the High River, Saskatchewan and Hudson 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. H. N. Sheppard, F. Crandell, T. E. LeClaire, C. A. Gigot, and G. D. Stanley, all of High River in the province of Alberta, together with such persons as become shareholders in the company are hereby incorporated under the name of "The High River, Saskatchewan and Hudson Bay Railway Company," hereinafter called "the Company." Incorporation. Corporate name.

2. The persons named in section 1 of this Act are hereby constituted the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be one million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be at High River in the province of Alberta. Head office.

5. The annual meeting of the shareholders shall be held on the second 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. Directors.

7. The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches, from Lines of railway described.

a point in any of the townships twenty-five to twenty-nine, range one, west of the fourth meridian in the province of Alberta, thence north-easterly to the city of Saskatoon in the province of Saskatchewan, thence north-easterly to a point in or about townships fifty-two to fifty-six on the easterly boundary of the province of Saskatchewan, thence north-easterly to The Pas in the Northwest Territories.

Vessels, wharves, etc.

8. The Company may, for the purposes of its undertaking, construct, acquire and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and may construct, acquire, lease and dispose of wharves, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith.

Transmission and delivery of power and electricity.

R.S., c. 37.

9. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges from time to time.

Telegraphs and telephones.

R.S., c. 37.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

Tolls and charges.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges from time to time.

R.S., c. 126.

3. Part II of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act* or with this Act, shall apply to the telegraphic business of the Company.

Consent of municipalities required for telegraph and telephone lines upon

11. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing

of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality without the consent, expressed by by-law, of such municipality.

Issue of securities for railway.

12. 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 for purposes other than railway.

Limitation.

13. In addition to the securities authorized by section 12 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminal, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Agreements with other companies.

Shares of other companies.

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the following companies for any of the purposes specified in the said section 361, such companies being The High River and Hudson Bay Railway Company, The Grand Trunk Pacific Railway Company, The Canadian Pacific Railway Company, The Grand Trunk Railway Company of Canada, and The Canadian Northern Railway Company.

Hotels and restaurants.

Parks.

Municipal approval.

15. The Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels and restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out and manage parks and summer and pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer and pleasure resorts are situated, and may lease the same.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL H2.

An Act for the relief of Mary Kathleen Crittenden.

Preamble.

WHEREAS Mary Kathleen Crittenden, presently residing at the village of Gilbert Plains, in the province of Manitoba, wife of Stanley Alexander Grant Crittenden, of the town of Dauphin, in the province of Manitoba, sewing machine agent, has by her petition alleged, in effect, that they were lawfully married on the seventh day of October, A.D. 1903, at the said town of Dauphin, she then being Mary Kathleen Nicol, spinster; that the legal domicile of the said Stanley Alexander Grant Crittenden was then and is now in Canada; that in the year A.D. 1909, at the city of Winnipeg, in the province of Manitoba, and at the city of Seattle, in the state of Washington, one of the United States of America, he committed adultery with one Euphemia McLean; that in the year A.D. 1910, at the village of Million, in the province of Manitoba, he also committed adultery with the said Euphemia McLean; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mary Kathleen Nicol and Stanley Alexander Grant Crittenden, 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 Mary Kathleen Nicol may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Stanley Alexander Grant Crittenden had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

H2

An Act for the relief of Mary Kathleen Crittenden.

Received and read a first time

Tuesday, 4th April, 1911.

Second reading,

Thursday, 20th April, 1911.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL H2.

AS PASSED BY THE SENATE 21st APRIL, 1911.

An Act for the relief of Mary Kathleen Crittenden.

Preamble.

WHEREAS Mary Kathleen Crittenden, presently residing at the village of Gilbert Plains, in the province of Manitoba, wife of Stanley Alexander Grant Crittenden, of the town of Dauphin, in the province of Manitoba, sewing machine agent, has by her petition alleged, in effect, that they were lawfully married on the seventh day of October, A.D. 1903, at the said town of Dauphin, she then being Mary Kathleen Nicol, spinster; that the legal domicile of the said Stanley Alexander Grant Crittenden was then and is now in Canada; that in the year A.D. 1909, at the city of Winnipeg, in the province of Manitoba, and at the city of Seattle, in the state of Washington, one of the United States of America, he committed adultery with one Euphemia McLean; that in the year A.D. 1910, at the village of Million, in the province of Manitoba, he also committed adultery with the said Euphemia McLean; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Mary Kathleen Nicol and Stanley Alexander Grant Crittenden, 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 Mary Kathleen Nicol may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Stanley Alexander Grant Crittenden had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL I2.

An Act to incorporate The Continental Fire Insurance Company.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Marie Joseph Alain Mayon de la Giclais, capitalist, Joseph Lecomte, agent, Horace Chevrier, merchant, Yves de la Fonchais, capitalist, and William Frederick Hull, barrister-at-law, all of the city of Winnipeg, in the province of Manitoba, directors of The Continental Fire Insurance Company, incorporated by chapter 86 of the statutes of Manitoba, 1909, together with such other persons as become shareholders in the company hereby incorporated, are hereby incorporated under the name of "The Continental Fire Insurance Company", hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be one million dollars.

Amount to be subscribed before organization.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred and fifty thousand dollars.

Head office.

5. The head office of the Company shall be at the city of Winnipeg in the province of Manitoba.

Business authorized.

6. The Company may carry on the following classes of business as defined by Section 2 of *The Insurance Act*, 1910, namely, fire insurance, accident insurance, inland transportation insurance, and plate glass insurance, and may also carry on the business of cyclone or tornado insurance.

2. The Company may also make contracts of insurance against loss of rent arising from damage by fire or lightning.

Subscription of, and payments on capital before commencing various kinds of business.

7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of its capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon.

2. The Company shall not transact the businesses of cyclone or tornado insurance and inland transportation insurance in addition to fire insurance until its capital has been increased to at least three hundred thousand dollars and at least one hundred and twenty-five thousand dollars have been paid thereon.

3. The Company shall not transact all the classes of insurance authorized by this Act until at least four hundred thousand dollars of its capital stock have been subscribed and at least one hundred and fifty thousand dollars have been paid thereon.

Authority to acquire rights and property of Manitoba company.

8. The Company may acquire the whole or any part of the rights and property of The Continental Fire Insurance Company incorporated by chapter 86 of the statutes of Manitoba, 1909, and in such case the Company shall perform and discharge all such duties, obligations and liabilities of that company with respect to the rights and property acquired as are not performed or discharged by that Company.

1910, c. 32.

9. *The Insurance Act*, 1910, shall apply to the Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

I2

An Act to incorporate The Continental Fire Insurance Company.

Received and read a first time

Tuesday, 4th April, 1911.

Second reading

Tuesday, 4th April, 1911.

Honourable Mr. WATSON.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL I2.

AS PASSED BY THE SENATE 28th APRIL, 1911.

An Act to incorporate The Continental Fire Insurance Company of Canada.

Preamble.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Marie Joseph Alain Mayon de la Giclais, capitalist, Joseph Lecomte, agent, Horace Chevrier, merchant, Yves de la Fonchais, capitalist, and William Frederick Hull, barrister-at-law, all of the city of Winnipeg, in the province of Manitoba, directors of The Continental Fire Insurance Company, incorporated by chapter 86 of the statutes of Manitoba, 1909, together with such other persons as become shareholders in the company hereby incorporated, are hereby incorporated under the name of "The Continental Fire Insurance Company of Canada", hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be one million dollars.

Amount to be subscribed before organization.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred and fifty thousand dollars.

Head office.

5. The head office of the Company shall be at the city of Winnipeg in the province of Manitoba.

Business authorized.

6. The Company may carry on the following classes of business as defined by Section 2 of *The Insurance Act*, 1910,

namely, fire insurance, accident insurance, inland transportation insurance, and plate glass insurance, and may also carry on the business of cyclone or tornado insurance.

2. The Company may also make contracts of insurance against loss of rent arising from damage by fire or lightning.

Subscription of, and payments on capital before commencing various kinds of business.

7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of its capital stock have been subscribed and at least one hundred thousand dollars have been paid thereon.

2. The Company shall not transact the businesses of cyclone or tornado insurance and inland transportation insurance in addition to fire insurance until its capital has been increased to at least three hundred thousand dollars and at least one hundred and twenty-five thousand dollars have been paid thereon.

3. The Company shall not transact all the classes of insurance authorized by this Act until at least four hundred thousand dollars of its capital stock have been subscribed and at least one hundred and fifty thousand dollars have been paid thereon.

Authority to acquire rights and property of Manitoba company.

8. The Company may acquire the whole or any part of the rights and property of The Continental Fire Insurance Company incorporated by chapter 86 of the statutes of Manitoba, 1909, and in such case the Company shall perform and discharge all such duties, obligations and liabilities of that company with respect to the rights and property acquired as are not performed or discharged by that Company.

Application of 1910, c. 32.

9. Except as otherwise provided by this Act the Company shall have all the powers, privileges and immunities, and shall be subject to all the liabilities and provisions, in *The Insurance Act, 1910,* so far as they may be applicable to the Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL J2.

An Act for the relief of Pauline Winslow Saunderson.

Preamble.

WHEREAS Pauline Winslow Saunderson, presently residing at the city of Ottawa, in the province of Ontario, wife of Percival Herbert Saunderson, of the town of Cobalt, in the province of Ontario, salesman, has by her petition alleged, in effect, that they were lawfully married on the ninth day of October, A.D. 1910, at the city of Montreal, in the province of Quebec, she then being Pauline Winslow, spinster; that the legal domicile of the said Percival Herbert Saunderson was then and is now in Canada; that at the town of Cobalt, in the province of Ontario, in the year A.D. 1910, he frequented houses of illfame, and at the said town of Cobalt, on or about the second day of November, A.D. 1910, he committed adultery with one Lottie Rohm; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Pauline Winslow and Percival Herbert Saunderson, 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 Pauline Winslow may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Percival Herbert Saunderson had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

J_2

An Act for the relief of Pauline Winslow Saunderson.

Received and read a first time

Tuesday, 4th April, 1911.

Second reading

Thursday, 20th April, 1911.

Honourable MR. THOMPSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL J2.

AS PASSED BY THE SENATE 21st APRIL, 1911.

An Act for the relief of Pauline Winslow Saunderson.

Preamble.

WHEREAS Pauline Winslow Saunderson, presently residing at the city of Ottawa, in the province of Ontario, wife of Percival Herbert Saunderson, of the town of Cobalt, in the province of Ontario, salesman, has by her petition alleged, in effect, that they were lawfully married on the ninth day of October, A.D. 1910, at the city of Montreal, in the province of Quebec, she then being Pauline Winslow, spinster; that the legal domicile of the said Percival Herbert Saunderson was then and is now in Canada; that at the town of Cobalt, in the province of Ontario, in the year A.D. 1910, he frequented houses of illfame, and at the said town of Cobalt, on or about the second day of November, A.D. 1910, he committed adultery with one Lottie Rohm; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Pauline Winslow and Percival Herbert Saunderson, 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 Pauline Winslow may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Percival Herbert Saunderson had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL K2.

An Act for the relief of Nellie Bridgland Morrison.

Preamble.

WHEREAS Nellie Bridgland Morrison, presently residing at the city of Toronto, in the province of Ontario, wife of William Herbert Morrison, formerly of the said city of Toronto, but presently residing at the city of Jacksonville, in the state of Florida, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of February, A.D. 1902, at the said city of Toronto, she then being Nellie Bridgland White, spinster; that the legal domicile of the said William Herbert Morrison was then and is now in Canada; that at the said city of Toronto in the month of August, A.D. 1908, he committed adultery; that at the said city of Jacksonville, on the first day of November, A.D. 1910, he also committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Marriage dissolved.

1. The said marriage between Nellie Bridgland White and William Herbert Morrison, 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 Nellie Bridgland White may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Herbert Morrison had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

K_2

An Act for the relief of Nellie Bridgland Morrison.

Received and read a first time

Tuesday, 4th April, 1911.

Second reading

Thursday, 20th April, 1911.

Honourable MR. CAMPBELL.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL K2.

AS PASSED BY THE SENATE 21st APRIL, 1911.

An Act for the relief of Nellie Bridgland Morrison.

Preamble.

WHEREAS Nellie Bridgland Morrison, presently residing at the city of Toronto, in the province of Ontario, wife of William Herbert Morrison, formerly of the said city of Toronto, but presently residing at the city of Jacksonville, in the state of Florida, one of the United States of America, has by her petition alleged, in effect, that they were lawfully married on the twenty-sixth day of February, A.D. 1902, at the said city of Toronto, she then being Nellie Bridgland White, spinster; that the legal domicile of the said William Herbert Morrison was then and is now in Canada; that at the said city of Toronto in the month of August, A.D. 1908, he committed adultery; that at the said city of Jacksonville, on the first day of November, A.D. 1910, he also committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Marriage dissolved.

1. The said marriage between Nellie Bridgland White and William Herbert Morrison, 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 Nellie Bridgland White may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Herbert Morrison had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL L2.

An Act for the relief of Frances Whittington Truesdell.

Preamble.

WHEREAS Frances Whittington Truesdell, presently residing at the city of Toronto, in the province of Ontario, wife of Henry Truesdell, presently of the village of Grimsby, in the province of Ontario, fruit-grower, has by her petition alleged, in effect, that they were lawfully married on the eighteenth day of March, A.D. 1896, at the said city of Toronto, she then being Frances Whittington, spinster; that the legal domicile of the said Henry Truesdell was then and is now in Canada; that in the month of April, A.D. 1910, he and one Rebecca Quinsy were living in adultery as man and wife, at the village of Grimsby, county of Lincoln, province of Ontario, and at divers times since up to the month of March, A.D. 1911, have so lived there in adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Frances Whittington and Henry Truesdell, 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 Frances Whittington may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Truesdell had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

L2

An Act for the relief of Frances Whittington Truesdell.

Received and read a first time

Tuesday, 4th April, 1911.

Second reading

Thursday, 20th April, 1911.

Honourable MR. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL L2.

AS PASSED BY THE SENATE 21st APRIL, 1911.

An Act for the relief of Frances Whittington Truesdell.

Preamble.

WHEREAS Frances Whittington Truesdell, presently residing at the city of Toronto, in the province of Ontario, wife of Henry Truesdell, presently of the village of Grimsby, in the province of Ontario, fruit-grower, has by her petition alleged, in effect, that they were lawfully married on the eighteenth day of March, A.D. 1896, at the said city of Toronto, she then being Frances Whittington, spinster; that the legal domicile of the said Henry Truesdell was then and is now in Canada; that in the month of April, A.D. 1910, he and one Rebecca Quinsy were living in adultery as man and wife, at the village of Grimsby, county of Lincoln, province of Ontario, and at divers times since up to the month of March, A.D. 1911, have so lived there in adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Frances Whittington and Henry Truesdell, 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 Frances Whittington may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Henry Truesdell had not been solemnized

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL M2.

An Act to amend The Juvenile Delinquents Act, 1908.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Section 19 of *The Juvenile Delinquents Act, 1908*, chapter 40 of the statutes of 1908, is amended by adding thereto the following subsection:— 1908, c. 40, s. 19 amended.

"3. No child of a religious faith other than the Protestant or Roman Catholic shall be committed to the care of either a Protestant or Roman Catholic children's aid society or be placed in any Protestant or Roman Catholic family as its foster home unless there is within the municipality no children's aid society or no suitable family of the same religious faith as that professed by the child or by its family, and, if there is no children's aid society or suitable family of such faith to which the care of such child can properly be given, the disposition of such child shall be in the discretion of the court." Care of children of religious faith other than Protestant or Roman Catholic.

2. Section 23 of the said Act is amended by adding thereto the following subsection:— S. 23 amended.

"4. In the case of a child of a religious faith other than the Protestant or Roman Catholic the court shall appoint three or more suitable persons to be the Juvenile Court Committee as regards such child, such persons to be of the same religious faith as the child if there are such suitable persons resident within the municipality willing to act." Juvenile Court Committee for child of religious faith other than Protestant or Roman Catholic.

3rd Session, 11th Parliament, 1 George V., 1910-

THE SENATE OF CANADA.

BILL

M2

An Act to amend The Juvenile Delinquen Act, 1908.

Received and read a first time

Tuesday, 4th April, 1911.

Second reading

Thursday, 20th April, 1911.

Honourable MR. CASGRAIN.

OTTAWA
Printed by C. H. PARMELEE
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3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL M2.

AS PASSED BY THE SENATE 27th APRIL, 1911.

An Act to amend The Juvenile Delinquents Act, 1908.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. Section 19 of *The Juvenile Delinquents Act, 1908*, chapter 40 of the statutes of 1908, is amended by adding thereto the following subsection:— 1908, c. 40, s. 19 amended.

"3. No child of a religious faith other than the Protestant or Roman Catholic shall be committed to the care of either a Protestant or Roman Catholic children's aid society or be placed in any Protestant or Roman Catholic family as its foster home unless there is within the municipality no children's aid society or no suitable family of the same religious faith as that professed by the child or by its family, and, if there is no children's aid society or suitable family of such faith to which the care of such child can properly be given, the disposition of such child shall be in the discretion of the court." Care of children of religious faith other than Protestant or Roman Catholic.

2. Subsection 2 of section 23 of the said Act is amended by inserting, after the word "thereof" in the third line thereof, the words ", if willing to act,". S. 23 amended. Juvenile Court Committee *ex officio*.

2. Subsection 3 of section 23 of the said Act is amended by inserting, after the word "force" in the second line thereof, the words ", or no such society willing to act,". Appointment of Committee by Court.

3. Section 23 of the said Act is further amended by adding thereto the following subsection:— S. 23 amended.

"4. In the case of a child of a religious faith other than the Protestant or Roman Catholic the court shall appoint three or more suitable persons to be the Juvenile Court Committee as regards such child, such persons to be of the same religious faith as the child if there are such suitable persons resident within the municipality willing to act." Juvenile Court Committee for child of religious faith other than Protestant or Roman Catholic.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL N2.

An Act for the relief of Violet Jane Dakin.

Preamble.

WHEREAS Violet Jane Dakin, presently residing at the city of Medicine Hat, in the province of Alberta, wife of William Dakin, of the city of Edmonton, in the province of Alberta, has by her petition alleged, in effect, that they were lawfully married on the eighth day of July, A.D. 1909, at the said city of Medicine Hat, she then being Violet Jane Huston, spinster; that the legal domicile of the said William Dakin was then and is now in Canada; that he has refused to consummate the said marriage; that on the tenth day of February, A.D. 1910, in the District Court Judge's Criminal Court of the District of Calgary he pleaded guilty to seven counts whereby he was charged with attempting to commit unnameable offences with boys for which he was sentenced in the said court to imprisonment for six years in all, which term of imprisonment he is now serving in the Edmonton penitentiary; that she has not connived at nor condoned the said criminal offences; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Violet Jane Huston and William Dakin, 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 Violet Jane Huston may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Dakin had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

N2

An Act for the relief of Violet Jane Dakin.

Received and read a first time

Friday, 21st April, 1911.

Second reading

Wednesday, 26th April, 1911.

Honourable Mr. De Veber.

OTTAWA
Printed by C. H. Parmelee
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3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL N2.

AS PASSED BY THE SENATE 27th APRIL, 1911.

An Act for the relief of Violet Jane Dakin.

Preamble

WHEREAS Violet Jane Dakin, presently residing at the city of Medicine Hat, in the province of Alberta, wife of William Dakin, of the city of Edmonton, in the province of Alberta, has by her petition alleged, in effect, that they were lawfully married on the eighth day of July, A.D. 1909, at the said city of Medicine Hat, she then being Violet Jane Huston, spinster; that the legal domicile of the said William Dakin was then and is now in Canada; that he has refused to consummate the said marriage; that on the tenth day of February, A.D. 1910, in the District Court Judge's Criminal Court of the District of Calgary he pleaded guilty to seven counts whereby he was charged with attempting to commit unnameable offences with boys for which he was sentenced in the said court to imprisonment for six years in all, which term of imprisonment he is now serving in the Edmonton penitentiary; that she has not connived at nor condoned the said criminal offences; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Violet Jane Huston and William Dakin, 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 Violet Jane Huston may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Dakin had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O2.

An Act for the relief of Hugh Samuel Bell.

Preamble.

WHEREAS Hugh Samuel Bell, of Waskada, in the province of Manitoba, farmer, has by his petition alleged, in effect, that on the eighteenth day of April, A.D. 1900, at the town of Walkerton, in the province of Ontario, he was lawfully married to Emma Morrison Webber; that she was then of the said town of Walkerton, a spinster; that his legal domicile was then and is now in Canada; that in the year 1905 she deserted him, and subsequently at Williston, in the state of North Dakota, in the United States, on the twenty-sixth day of November, A.D. 1909, she went through a form of marriage with one Michael L. Costello, with whom she has since lived as wife with husband, and more particularly during the latter part of the month of October, A.D. 1910, at the village of Killarney, in the province of Manitoba, and has thereby committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Hugh Samuel Bell and Emma Morrison Webber, 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 Hugh Samuel Bell may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Emma Morrison Webber had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

0_2

An Act for the relief of Hugh Samuel Bell.

Received and read a first time

Friday, 21st April, 1911.

Second reading

Wednesday, 26th April, 1911.

Honourable Mr. YOUNG.

OTTAWA
Printed by C. H. PARMELEE
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL O2.

AS PASSED BY THE SENATE 27th APRIL, 1911.

An Act for the relief of Hugh Samuel Bell.

Preamble.

WHEREAS Hugh Samuel Bell, of Waskada, in the province of Manitoba, farmer, has by his petition alleged, in effect, that on the eighteenth day of April, A.D. 1900, at the town of Walkerton, in the province of Ontario, he was lawfully married to Emma Morrison Webber; that she was then of the said town of Walkerton, a spinster; that his legal domicile was then and is now in Canada; that in the year 1905 she deserted him, and subsequently at Williston, in the state of North Dakota, in the United States, on the twenty-sixth day of November, A.D. 1909, she went through a form of marriage with one Michael L. Costello, with whom she has since lived as wife with husband, and more particularly during the latter part of the month of October, A.D. 1910, at the village of Killarney, in the province of Manitoba, and has thereby committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Hugh Samuel Bell and Emma Morrison Webber, 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 Hugh Samuel Bell may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Emma Morrison Webber had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL P2.

An Act for the relief of Fanny Mary Healy.

Preamble.

WHEREAS Fanny Mary Healy, presently residing at the city of Calgary, in the province of Alberta, wife of Clarence Glenville Healy, formerly of the said city of Calgary, presently at the city of Seattle, state of Washington, in the United States, has by her petition alleged, in effect, that they were lawfully married on the eighteenth day of April, A.D. 1896, at the said city of Calgary, she then being Fanny Mary Yule, spinster; that the legal domicile of the said Clarence Glenville Healy was then and is now in Canada; that on or about the eighteenth day of December, A.D. 1907, he deserted her; that on the seventh day of January, A.D. 1911, at the city of Seattle, in the state of Washington, in the United States, he was living with one Jessie Richardson as man with wife, and thereby committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Fanny Mary Yule and Clarence Glenville Healy, 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 Fanny Mary Yule may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Clarence Glenville Healy had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

P_2

An Act for the relief of Fanny Mary Healy.

Received and read a first time,

Tuesday, 25th April, 1911.

Second reading,

Friday, 28th April, 1911.

Honourable Mr. TALBOT.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL P2.

AS PASSED BY THE SENATE 2nd MAY, 1911.

An Act for the relief of Fanny Mary Healy.

Preamble.

WHEREAS Fanny Mary Healy, presently residing at the city of Calgary, in the province of Alberta, wife of Clarence Glenville Healy, formerly of the said city of Calgary, presently at the city of Seattle, state of Washington, in the United States, has by her petition alleged, in effect, that they were lawfully married on the eighteenth day of April, A.D. 1896, at the said city of Calgary, she then being Fanny Mary Yule, spinster; that the legal domicile of the said Clarence Glenville Healy was then and is now in Canada; that on or about the eighteenth day of December, A.D. 1907, he deserted her; that on the seventh day of January, A.D. 1911, at the city of Seattle, in the state of Washington, in the United States, he was living with one Jessie Richardson as man with wife, and thereby committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Fanny Mary Yule and Clarence Glenville Healy, 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 Fanny Mary Yule may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Clarence Glenville Healy had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Q2.

An Act for the relief of Joseph Doust.

WHEREAS Joseph Doust, of the city of Toronto, in the province of Ontario, stationer, has by his petition alleged, in effect, that on the seventh day of October, A.D. 1899, at the said city of Toronto, he was lawfully married to Addie Alvetta Horn; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that on or about the third day of February, A.D. 1906, she deserted him; that at the city of San Francisco, in the state of California, in the United States, she went through a form of marriage with one Louis Allen Mayo, with whom she has since lived as wife with husband, and more particularly at Clifton Hill, in the state of Missouri, in the United States, in the latter part of the month of January, A.D. 1910, and has thereby committed adultery; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble.

1. The said marriage between Joseph Doust and Addie Alvetta Horn, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Joseph Doust may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Addie Alvetta Horn had not been solemnized. Right to marry again.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE O F CANADA.

BILL

Q_2

An Act for the relief of Joseph Doust.

Received and read a first time

Tuesday, 25th April, 1911.

Second reading

Friday, 28th April, 1911.

Honourable Mr. Derbyshire.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL R2.

An Act respecting certain patents of Munderloh and Company, Limited.

Preamble.

WHEREAS Munderloh and Company, Limited, a body corporate having its chief place of business at the city of Montreal, in the province of Quebec, has by its petition represented that it is the holder of patents numbers 91,159 and 91,160 dated the twenty-fourth day of January, 1905, issued under the seal of the Patent Office, for a new and useful improvement in incandescent electric lamp sockets, 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:—

Power to Commissioner of Patents to receive fee and extend duration of patents.

R.S., c. 69, s. 23,

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patents an application for a certificate of payment of further fees and the usual fees for the second and third terms for the said patents, and may grant and issue to such holder certificates of payment of further fees, as provided for by *The Patent Act*, and extensions of the term of duration of the said patents, in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of the issue of the said patents.

Certain rights saved.

2. If any person has, in the period between the expiry of six years from the date of the said patents and the eighteenth day of February, 1911, commenced to manufacture, use, or sell in Canada, the invention covered by the said patents, such person may continue to manufacture, use or sell such invention, in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA

BILL

R2

An Act respecting certain patents of Munderloh and Company, Limited.

Received and read a first time

Tuesday, 25th April, 1911.

Second reading

Thursday, 27th April, 1911.

Honourable Mr. DOMVILLE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL R2.

AS PASSED BY THE SENATE 5th MAY, 1911.

An Act respecting certain patents of Munderloh and Company, Limited.

Preamble.

WHEREAS Munderloh and Company, Limited, a body corporate having its chief place of business at the city of Montreal, in the province of Quebec, has by its petition represented that it is the holder of patents numbers 91,159 and 91,160 dated the twenty-fourth day of January, 1905, issued under the seal of the Patent Office, for a new and useful improvement in incandescent electric lamp sockets, 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:—

Power to Commissioner of Patents to receive fee and extend duration of patents.

R.S., c. 69, s. 23,

1. Notwithstanding anything in *The Patent Act,* or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patents an application for a certificate of payment of further fees and the usual fees for the second and third terms for the said patents, and may grant and issue to such holder certificates of payment of further fees, as provided for by *The Patent Act,* and extensions of the term of duration of the said patents, in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of the issue of the said patents.

Certain rights saved.

2. If any person has, in the period between the expiry of six years from the date of the said patents and the eighteenth day of February, 1911, commenced to manufacture, use, or sell in Canada, the invention covered by the said patents, such person may continue to manufacture, use or sell such invention, in as full and ample a manner as if this Act had not been passed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL S2.

An Act respecting The Cariboo, Barkerville and Willow River Railway Company.

Preamble.

Brit. Col., 1910, c. 62.

WHEREAS The Cariboo, Barkerville and Willow River Railway Company, hereinafter called "the Company," has by its petition represented that it was incorporated by chapter 62 of the statutes of 1910 of British Columbia, 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:—

Railway declared for the general advantage of Canada.

1. The railway which the Company is authorized to construct by chapter 62 of the statutes of British Columbia, 1910, is hereby declared to be a work for the general advantage of Canada.

Extension of time for construction.

2. The Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not finished and put in operation, the powers of construction conferred upon the company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Agreements with other companies.

R.S., c. 37.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, and The Canadian Northern Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

S_2

An Act respecting The Cariboo, Barkerville and Willow River Railway Company.

Received and read a first time

Wednesday, 26th April, 1911.

Second reading

Friday, 28th April, 1911.

Honourable Mr. Riley.

OTTAWA
Printed by C. H. Parmelee
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL S2.

AS PASSED BY THE SENATE 5th MAY, 1911.

An Act respecting The Cariboo, Barkerville and Willow River Railway Company.

Preamble. Brit. Col., 1910, c. 62.

WHEREAS The Cariboo, Barkerville and Willow River Railway Company, hereinafter called "the Company," has by its petition represented that it was incorporated by chapter 62 of the statutes of 1910 of British Columbia, 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:—

Railway declared for the general advantage of Canada.

1. The railway which the Company is authorized to construct by chapter 62 of the statutes of British Columbia, 1910, is hereby declared to be a work for the general advantage of Canada.

Limitation of certain powers.

2. Except as provided in *The Railway Act*, the Company shall not exercise the powers granted by sections 12 and 16 of the said chapter 62.

Extension of time for construction

3. The Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Agreements with other companies.

R.S., c. 37.

4. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being The Grand Trunk Pacific Railway Company, The Grand Trunk Railway Company of Canada, The Canadian Pacific Railway Company, and The Canadian Northern Railway Company.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL T2.

An Act respecting *La Sauvegarde* Life Insurance Company.

Preamble.

WHEREAS *La Sauvegarde* has by its petition represented that it is a life insurance company incorporated by chapter 95 of the statutes of Quebec, 1903, 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. 95.

Declaratory.

1. *La Sauvegarde*, hereinafter called "the old Company", is hereby declared to be a body corporate and politic within the legislative authority of the Parliament of Canada, and this Act shall apply to the old Company and its business instead of the Act mentioned in the preamble; provided nothing herein shall affect anything done, or any liability incurred by the old Company, to all of which liabilities the new Company shall be subject.

Existing rights and liabilities continued.

Capital stock.

2. The capital stock of the Company shall be two million dollars.

Shares in old and new companies.

3. The shareholders of the old Company are hereby declared to be holders respectively of as many shares of the par value of one hundred dollars in the new Company as they are holders respectively of one hundred dollar shares in the old Company.

Head office.

4. The head office of the new Company shall be in the city of Montreal, in the province of Quebec.

Business authorized.

5. The new Company may make contracts of life insurance with any person, and may grant, sell or purchase life annuities, grant endowments depending upon the contingencies of human life, and generally carry on the business of life insurance in all its branches and forms.

Application of Insurance Act.

6. Except as otherwise provided by this Act, the new Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the new Company.

Issue and renewal of licenses.

7. A license shall not be issued to the new Company, nor shall any license issued be renewed, unless and until the Superintendent of Insurance has been satisfied by such evidence as he may require that the old Company is ceasing to do business, nor unless and until such undertaking as he may require has been given that the old Company will entirely cease to do business within such reasonable time as may be fixed.

Approval by resolution of shareholders of old company.

8. This Act shall not take effect unless accepted and approved by resolution voted for by shareholders representing at least three-fourths in value of the amount of stock represented by the shareholders present, or represented by proxy, at a special general meeting of the old Company duly called for the purpose of considering this Act; and, if so accepted and approved, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said resolution.

Commencement of Act.

Notice.

2. Notice of such acceptance and approval and of the day so fixed shall be published by the new Company in *The Canada Gazette*.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

2

An Act respecting *La Sauvegarde* Life Insurance Company.

Received and read a first time

Wednesday, 26th April, 1911.

Second reading

Wednesday, 26th April, 1911.

Honourable Mr. BÉLIQUE.

OTTAWA

Printed by C. H. PARMELEE

Printer to the King's most Excellent Majesty

1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL T2.

AS PASSED BY THE SENATE 28th APRIL, 1911.

An Act respecting *La Sauvegarde* Life Insurance Company.

Preamble.

WHEREAS *La Sauvegarde* has by its petition represented that it is a life insurance company incorporated by chapter 95 of the statutes of Quebec, 1903, 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 of Commons of Canada, enacts as follows:—

Que., 1903, c. 95.

Declaratory.

1. *La Sauvegarde,* hereinafter called "the old Company", is hereby declared to be a body corporate and politic within the legislative authority of the Parliament of Canada, and this Act shall apply to the old Company and its business instead of the Act mentioned in the preamble: provided nothing herein shall affect anything done, or any liability incurred by the old Company, to all of which liabilities the new Company shall be subject.

Existing rights and liabilities continued.

Capital stock.

2. The capital stock of the Company shall be two million dollars.

Shares in old and new companies.

3. The shareholders of the old Company are hereby declared to be holders respectively of as many shares of the par value of one hundred dollars in the new Company as they are holders respectively of one hundred dollar shares in the old Company.

Head office.

4. The head office of the new Company shall be in the city of Montreal, in the province of Quebec.

Business authorized.

5. The new Company may make contracts of life insurance with any person, and may grant, sell or purchase life annuities, grant endowments depending upon the contingencies of human life, and generally carry on the business of life insurance in all its branches and forms.

Application of Insurance Act.

6. Except as otherwise provided by this Act, the new Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the new Company.

Issue and renewal of licenses.

7. A license shall not be issued to the new Company, nor shall any license issued be renewed, unless and until the Superintendent of Insurance has been satisfied by such evidence as he may require that the old Company is ceasing to do business, nor unless and until such undertaking as he may require has been given that the old Company will entirely cease to do business within such reasonable time as may be fixed.

Approval by resolution of shareholders of old company.

Commencement of Act.

8. This Act shall not take effect unless accepted and approved by resolution voted for by shareholders representing at least three-fourths in value of the amount of stock represented by the shareholders present, or represented by proxy, at a special general meeting of the old Company duly called for the purpose of considering this Act; and, if so accepted and approved, this Act shall come into force upon a subsequent day to be fixed for that purpose by the said resolution.

Notice.

2. Notice of such acceptance and approval and of the day so fixed shall be published by the new Company in *The Canada Gazette*.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL U2.

An Act for the relief of Gertrude Mary Grantham.

Preamble.

WHEREAS Gertrude Mary Grantham, presently residing at the city of Toronto, in the province of Ontario, wife of Arthur Myles Grantham, of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the fifth day of March, A.D. 1898, at the said city of Toronto, she then being Gertrude Mary Mackenzie, spinster; that the legal domicile of the said Arthur Myles Grantham was then in the state of New York, in the United States, and is now in Canada; that at various times during the years 1905 and 1906, and since then upon divers occasions, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Gertrude Mary Mackenzie and Arthur Myles Grantham, 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 Gertrude Mary Mackenzie may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Myles Grantham had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

U_2

An Act for the relief of Gertrude Mary Grantham.

Received and read a first time

Wednesday, 26th April, 1911.

Second reading

Friday, 28th April, 1911.

Honourable Mr. YOUNG.

OTTAWA
Printed by C. H. PARMELEE
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1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL U2.

AS PASSED BY THE SENATE 3rd MAY, 1911.

An Act for the relief of Gertrude Mary Grantham.

Preamble.

WHEREAS Gertrude Mary Grantham, presently residing at the city of Toronto, in the province of Ontario, wife of Arthur Myles Grantham, of the said city of Toronto, has by her petition alleged, in effect, that they were lawfully married on the fifth day of March, A.D. 1898, at the said city of Toronto, she then being Gertrude Mary Mackenzie, spinster; that the legal domicile of the said Arthur Myles Grantham was then in the state of New York, in the United States, and is now in Canada; that at various times during the years 1905 and 1906, and since then upon divers occasions, he committed adultery; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between Gertrude Mary Mackenzie and Arthur Myles Grantham, 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 Gertrude Mary Mackenzie may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Arthur Myles Grantham had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL V2.

An Act to provide for increasing the capital stock of The Richelieu and Ontario Navigation Company.

Preamble. 1875, c. 85; 1885, c. 91; 1887, c. 101; 1894, c. 105; 1899, c. 126; 1906, c. 155; 1910, c. 157.

WHEREAS The Richelieu and Ontario Navigation Company has, by its petition, prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1875, c. 85, s. 2 further amended.

1. The subsection added by section 1 of chapter 126 of the statutes of 1899 to section 2 of chapter 85 of the statutes of 1875 is hereby repealed and the following is substituted therefor:—

Increase of capital from $5,000,000 to $10,000,000.

"2. The directors may increase the amount of the capital stock at any time to an amount not exceeding ten million dollars; but the stock shall not be increased until the resolution of the board of directors authorizing such increase has first been submitted to and confirmed by two thirds in value of the shareholders present or represented at a special general meeting of the shareholders duly called for that purpose."

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

V2

An Act to provide for increasing the capital stock of The Richelieu and Ontario Navigation Com any.

Received and read a first time

Wednesday, 26th April, 1911.

Second reading

Wednesday, 26th April, 1911.

Honourable Mr. CASGRAIN.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL V2.

AS PASSED BY THE SENATE 28th APRIL, 1911.

An Act to provide for increasing the capital stock of The Richelieu and Ontario Navigation Company.

WHEREAS The Richelieu and Ontario Navigation Company has, by its petition, prayed that it may be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1875, c. 85; 1885, c. 91; 1887, c. 101; 1894, c. 105; 1899, c. 126; 1906, c. 155; 1910, c. 157.

1. The subsection added by section 1 of chapter 126 of the statutes of 1899 to section 2 of chapter 85 of the statutes of 1875 is hereby repealed and the following is substituted therefor:— 1875, c. 85, s. 2 further amended.

"2. The directors may increase the amount of the capital stock at any time to an amount not exceeding ten million dollars; but the stock shall not be increased until the resolution of the board of directors authorizing such increase has first been submitted to and confirmed by two thirds in value of the shareholders present or represented at a special general meeting of the shareholders duly called for that purpose." Increase of capital from $5,000,000 to $10,000,000.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W2.

An Act respecting The Canada National Fire Insurance Company.

Preamble. 1909, c. 60.

WHEREAS The Canada National 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: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Act of incorporation declared to have continued in force. 1910, c. 32, s. 78.

1. Chapter 60 of the statutes of 1909 incorporating The Canada National Fire Insurance Company shall, notwithstanding anything in section 78 of *The Insurance Act, 1910*, be deemed not to have expired and ceased to be in force after the sixth day of April, 1911, but to have continued and to be in force.

Extension of time for obtaining license.

2. The Minister of Finance may at any time not later than the sixth day of April, 1912, under and subject to the provisions of *The Insurance Act*, 1910, grant to the said company the license necessary for carrying on business.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA

BILL

W_2

An Act respecting The Canada National Fire Insurance Company.

Received and read a first time

Wednesday, 26th April, 1911.

Second reading

Friday, 28th April, 1911.

Honourable MR. WATSON.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL W2.

AS PASSED BY THE SENATE 3rd MAY, 1911.

An Act respecting The Canada National Fire Insurance Company.

WHEREAS The Canada National 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: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble 1909, c. 60.

1. Chapter 60 of the statutes of 1909 incorporating The Canada National Fire Insurance Company shall, notwithstanding anything in section 78 of *The Insurance Act, 1910*, be deemed not to have expired and ceased to be in force after the sixth day of April, 1911, but to have continued and to be in force. Act of incorporation declared to have continued in force. 1910, c 32, s. 78.

2. The Minister of Finance may at any time not later than the sixth day of April, 1912, under and subject to the provisions of *The Insurance Act*, 1910, grant to the said company the license necessary for carrying on business. Extension of time for obtaining license.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X2.

An Act to amend *The Water Carriage of Goods Act* as regards the delivery of wood.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1910, c. 61.

1. Section 10 of *The Water Carriage of Goods Act*, chapter 61 of the statutes of 1910, is hereby repealed. S. 10 repealed. Responsibility for delivery of wood.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

X2

An Act to amend *The Water Carriage of Goods Act* as regards the delivery of wood.

Received and read a first time

Thursday, 27th April, 1911.

Second reading

Tuesday, 2nd May, 1911.

Honourable MR. DOMVILLE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL X2.

AS PASSED BY THE SENATE 10th MAY, 1911.

An Act to amend *The Water Carriage of Goods Act* as regards the delivery of wood.

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1910, c. 61.

1. Paragraph (*a*) of section 2 of *The Water Carriage of Goods Act*, chapter 61 of the statutes of 1910, is hereby amended by adding at the end thereof the words "or lumber, deals, or other articles usually described as wood goods." S. 2 amended. Definition of "goods."

2. Section 10 of the said Act is hereby repealed. S. 10 repealed. Responsibility for delivery of wood.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Y2.

An Act respecting The Sault St. Louis Light and Power Company.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1903, c. 188.

1. Notwithstanding anything in section 14 of chapter 188 of the statutes of 1903, incorporating The Sault St. Louis Light and Power Company, the powers granted by the said Act shall be deemed not to have ceased and become null and void, but to have continued and to be in force. Powers declared not to have lapsed. 1903, c. 188, s. 14.

2. Section 1 of the said Act is hereby repealed and the following substituted therefor:— 1903, c. 188, s. 1 amended.

"**1.** Robert Bickerdike, Duncan A. Campbell, J. J. Westgate, and Robert Bickerdike, Junior, all 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 Sault St. Louis Light and Power Company" hereinafter called "the Company". Incorporators.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Y2

An Act respecting The Sault St. Louis Light and Power Company.

Received and read a first time

Wednesday, 3rd May, 1911.

Second reading

Wednesday, 3rd May, 1911.

Honourable MR. DAVID.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Y2.

AS PASSED BY THE SENATE 11th MAY, 1911.

An Act respecting The Sault St. Louis Light and Power Company.

Preamble. 1903, c. 188.

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Powers declared not to have lapsed. 1903, c. 188, s. 14.

1. Notwithstanding anything in section 14 of chapter 188 of the statutes of 1903, incorporating The Sault St. Louis Light and Power Company, the powers granted by the said Act shall be deemed not to have ceased and become null and void, but to have continued and to be in force.

1903, c. 188, s. 1 amended.

2. Section 1 of the said Act is hereby repealed and the following substituted therefor:—

Incorporators.

"**1.** Robert Bickerdike, Duncan A. Campbell, J. J. Westgate, and Robert Bickerdike, Junior, all 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 Sault St. Louis Light and Power Company" hereinafter called "th Company".

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Z2.

An Act respecting The Chatham, Wallaceburg and Lake Erie Railway Company.

Preamble. 1903, c. 105.

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:—

Authority for additional branch lines.

1. The Chatham, Wallaceburg and Lake Erie Railway Company may construct, maintain and operate the following branch lines of railway:—

(*a*) From a point on the main line to the town of Blenheim and Rondeau Harbour.

(*b*) From a point near Wallaceburg to the town of Dresden, thence to the town of Ridgetown and Erie Eau Park.

(*c*) From a point near Dresden North to the town of Petrolia, thence to the town of Sarnia in the county of Lambton.

Issue of securities on such branch lines.

2. The said company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the branch lines authorized by section 1 of this Act, but only in proportion to the length of such branch lines constructed or under contract to be constructed.

Extension of time for construction.

3. The said company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or is not finished and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Former time limit repealed.

4. Section 12 of 105 of the statutes of 1903 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

Z2

An Act respecting The Chatham, Wallaceburg and Lake Erie Railway Company.

Received and read a first time

Wednesday, 3rd May, 1911.

Second reading,

Wednesday, 3rd May, 1911.

Honourable MR. DERBYSHIRE.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL Z2.

AS PASSED BY THE SENATE 5th MAY, 1911.

An Act respecting The Chatham, Wallaceburg and Lake Erie Railway Company.

Preamble.

1903, c. 105.

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:—

Authority for additional branch lines.

1. The Chatham, Wallaceburg and Lake Erie Railway Company may construct, maintain and operate the following branch lines of railway:—

(a) From a point on the main line to the town of Blenheim and Rondeau Harbour.

(b) From a point near Wallaceburg to the town of Dresden, thence to the town of Ridgetown and Rondeau Park.

(c) From a point near Dresden Nortn to the town of Petrolia, thence to the town of Sarnia in the county of Lambton.

Issues of securities on such branch lines.

2. The said company may issue bonds, debentures or other securities to the extent of twenty thousand dollars per mile of the branch lines authorized by section 1 of this Act, but only in proportion to the length of such branch lines constructed or under contract to be constructed.

Extension of time for construction.

3. The said company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Former time limit repealed.

4. Section 12 of 105 of the statutes of 1903 is hereby repealed.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A3.

An Act for the relief of William Francis Currie.

Preamble.

WHEREAS William Francis Currie, of the city of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the ninth day of June, A.D. 1909, at the said city of Toronto, he was lawfully married to Mary Ethel Floy Dellabough, that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that on or about the twenty-seventh day of December, A.D. 1910, in a stateroom in a sleeping car on the line of the Canadian Pacific Railway between the said city of Toronto and the city of Detroit, in the state of Michigan, in the United States, and on the twenty-eighth day of December, A.D. 1910, in the hotel Pontchartrain in the said city of Detroit, she committed adultery with one W. J. Dixon, and subsequently in the month of April, A.D. 1910, at the city of Toronto, in the province of Ontario, she committed adultery with a man named Pleasant, whose christian name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between William Francis Currie, and Mary Ethel Floy Dellabough, his wife, is hereby dissolved, and shal be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said William Francis Currie may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mary Ethel Floy Dellabough had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

A3

An Act for the rel ef of William Francis Currie.

Received and read a first time

Thursday, 4th May, 1911.

Second reading

Tuesday, 9th May, 1911.

Honourable MR. BAIRD.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL A3.

AS PASSED BY THE SENATE 10th MAY, 1911.

An Act for the relief of William Francis Currie.

Preamble.

WHEREAS William Francis Currie, of the city of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the ninth day of June, A.D. 1909, at the said city of Toronto, he was lawfully married to Mary Ethel Floy Dellabough, that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that on or about the twenty-seventh day of December, A.D. 1910, in a stateroom in a sleeping car on the line of the Canadian Pacific Railway between the said city of Toronto and the city of Detroit, in the state of Michigan, in the United States, and on the twenty-eighth day of December, A.D. 1910, in the hotel Pontchartrain in the said city of Detroit, she committed adultery with one W. J. Dixon, and previously in the month of April, A.D. 1910, at the city of Toronto, in the province of Ontario, she committed adultery with a man named Pleasant, whose christian name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between William Francis Currie, and Mary Ethel Floy Dellabough, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said William Francis Currie may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mary Ethel Floy Dellabough had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B3.

An Act for the relief of George Mackay Sutherland.

Preamble.

WHEREAS George Mackay Sutherland, of the city of Toronto, in the province of Ontario, dentist, has by his petition alleged, in effect, that on the seventh day of October, A.D. 1901, at the said city of Toronto, he was lawfully married to Annie Leo Snow; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the twenty-third day of June, A.D. 1902, she committed adultery with one Kipp Huff; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between George Mackay Sutherland and Annie Leo Snow, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said George Mackay Sutherland may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Annie Leo Snow had not been solemnized.

3rd Session, 11th Parliament, 1 George V., 1910-11

THE SENATE OF CANADA.

BILL

B_3

An Act for the relief of George Mackay Sutherland.

Received and read a first time

Tuesday, 9th May, 1911.

Second reading

Thursday, 11th May, 1911.

Honourable Mr. JONES.

OTTAWA
Printed by C. H. PARMELEE
Printer to the King's most Excellent Majesty
1910-11

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL B3.

AS PASSED BY THE SENATE 12th MAY, 1911.

An Act for the relief of George Mackay Sutherland.

Preamble.

WHEREAS George Mackay Sutherland, of the city of Toronto, in the province of Ontario, dentist, has by his petition alleged, in effect, that on the seventh day of October, A.D. 1901, at the said city of Toronto, he was lawfully married to Annie Leo Snow; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the twenty-third day of June, A.D. 1902, she committed adultery with one Kipp Huff; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Marriage dissolved.

1. The said marriage between George Mackay Sutherland and Annie Leo Snow, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Right to marry again.

2. The said George Mackay Sutherland may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Annie Leo Snow had not been solemnized

1st Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL (S).

AS PASSED BY THE SENATE 10th MAY, 1911.

3rd Session, 11th Parliament, 1 George V., 1910-11.

THE SENATE OF CANADA.

BILL C3.

AS PASSED BY THE SENATE 17th MAY, 1911.

An Act to amend an Act of the present session intituled "An Act respecting the Grand Trunk Railway Company of Canada."

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— Preamble. 1911, c. ....

1. Section 5 of the Act of the present session intituled "An Act respecting the Grand Trunk Railway Company of Canada" is hereby amended by inserting, immediately before the word "interest" in the third line of the said section, the words "principal and". Power to guarantee principal as well as interest of G. T. Western Ry. Co. 4 per cent first mortgage bonds.

2. This Act may be cited as *The Grand Trunk Amendment Act, 1911.* Short title.