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No. 145.

3rd Session, 8th Parliament, 61 Victoria, 1898

BILL.

An Act further to amend the Railway
Act.

First reading, May 17th, 1898.

Mr. BLAIR.

OTTAWA.

Printed by S. E. DAWSON
Printer to the Queen's most Excellent Majesty
1898

An Act further to amend the Railway Act.

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

1. All the provisions of sections 223 to 237, both inclusive, of *The Railway Act* shall, so far as applicable, apply to every steamship or line of steamships operated in connection with any line of railway to which the said Act applies, provided that such steamship or line of steamships is under a common ownership or management with such line of railway and plies between any port of a province and any point beyond the limits of the province. 1888, c. 29, sections 223 to 237 to apply to certain steamships.
2. In the application of the said Act to such line of railway and such steamship or line of steamships, the expression "company" shall include any company or person having authority to maintain or operate such railway and steamship or steamships, and the expression "undertaking" shall include the line of railway and the steamship or line of steamships which such company has authority to maintain or operate. Interpretation. "Company." "Undertaking."
3. In any case in which the toll or rate for carriage of passengers or freight by such steamship or line of steamships and such line of railway or any part thereof, or vice versa, is expressed in a single sum, the Railway Committee, in determining whether the toll or rate charged on such railway is discriminatory as against passengers or freight not travelling or being carried by such steamship or line of steamships, or travelling or being carried over the steamship line of any other person or company, shall determine what portion of such single sum is attributable to the railway transportation and what portion is attributable to the transportation by steamship. Through rates, apportionment between railway and steamships operated in connection with it.
4. The Railway Committee shall have power to determine on what terms and conditions and under what regulations any company or person owning or operating any steamship or line of steamships plying between the same ports as any steamship or line of steamships so operated in connection with a line of railway to which the said Act applies, may sell tickets for transportation of passengers and issue checks for delivery of luggage, or enter into contracts for the carriage of freight, over its own steamship line and such railway or any part thereof, and vice versa; and such terms and conditions may include the giving of such security or depositing such amount Transportation rights of owners of other steamships.

Duty of
railway
company.

as the Railway Committee determines, by way of security for the accounting and paying to the company owning or operating such railway of its proportion of the charges for such transportation or carriage; and the company operating such railway shall be bound to receive, carry and deliver passengers, luggage and freight on presentation of tickets, coupons, checks, bills of lading, or other evidences of contract issued in accordance with any regulations made under the authority of this section. 5

Facilities to
be afforded at
certain wharfs
by railway
company.

5. When any steamship or line of steamships calling at the same ports as the steamship or line of steamships operated in connection with a line of railway calls at a wharf which the Railway Committee considers is not unreasonably distant from the railway, the Railway Committee may require the railway company to receive and deliver passengers and freight of or intended for such steamship line as near to such wharf as any tracks and sidings of the railway, or any tracks and sidings which the steamship line shall put down, may permit of, and the Railway Committee may authorize any track or siding connections with the railway necessary for such purpose to be made. 10 15 20

1888, c. 29,
s. 52 amended.

6. Section 52 of *The Railway Act* is hereby amended by inserting after the word "directors," in the first line, the words "unless otherwise provided by by-law."